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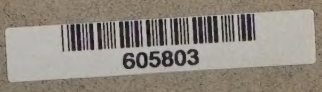
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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

—(3.)—

CATTLE DISEASES PREVENTION, AND CATTLE, &c. IMPORTATION BILLS;

TRADE WITH FOREIGN NATIONS.

Session

4 *February* —— 29 *July* 1864.

VOL. VII.

1864.

REPORTS FROM COMMITTEES:

1864.

ELEVEN VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

CATTLE DISEASES PREVENTION, AND CATTLE, &c. IMPORTATION BILLS:

431. REPORT from the Select Committee on CATTLE DISEASES PREVENTION, and CATTLE, &c. IMPORTATION BILLS: together with the PROCEEDINGS of the COMMITTEE, MINUTES of EVIDENCE, and APPENDIX - - - - - - - - - - p. 1

431-I. INDEX to REPORT from the Select Committee on CATTLE DISEASES PREVENTION, and CATTLE, &c. IMPORTATION BILLS - 235

TRADE WITH FOREIGN NATIONS:

493. REPORT from the Select Committee appointed to inquire into the Arrangement between the Foreign Office and the Board of Trade in reference to TRADE WITH FOREIGN NATIONS; together with the PROCEEDINGS of the COMMITTEE, MINUTES of EVIDENCE, and APPENDIX - - - - - - - - - 279

493-I. INDEX to REPORT from the Select Committee on TRADE with FOREIGN NATIONS - - - - - - - - - 653

REPORT

FROM THE

SELECT COMMITTEE

ON

CATTLE DISEASES PREVENTION,

AND

CATTLE, &c. IMPORTATION BILLS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
27 *June* 1864.

REPORT - - - - - - - - - - - v
PROCEEDINGS OF COMMITTEE - - - - - - vi
MINUTES OF EVIDENCE - - - - - - - - 1
APPENDIX - - - - - - - - - - - 193

Mercurii, 9° *die Martii*, 1864.

Ordered, That the Cattle Diseases Prevention Bill be committed to a Select Committee

Ordered, That the Cattle, &c., Importation Bill be committed to a Select Committee.

Veneris, 18° *die Martii*, 1864.

Ordered, That the Cattle, &c., Importation Bill, and Cattle Diseases Prevention Bill, be committed to the same Committee.

Ordered, That the Committee do consist of Nineteen Members.

Committee nominated of—

Mr. Bruce.	Colonel Barttelot.
Lord Naas.	Mr. Holland.
Mr. Caird.	Mr. Bentinck.
Mr. Leader.	Mr. Cox.
Mr. Miller.	Sir William Miles.
Mr. Leslie.	Mr. Alderman Salomons.
Mr. Hodgkinson.	Mr. Algernon Egerton.
Mr. Hunt.	Sir Thomas Burke.
Mr. Thompson.	

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Five be the quorum of the Committee.

Lunæ, 4° *die Aprilis*, 1864.

Ordered, That the Petition of Hawick and Teviotdale Farmers against the Cattle Diseases Prevention, and Cattle, &c., Importation Bills, be referred to the Committee.

Veneris, 8° *die Aprilis*, 1864.

Ordered, That the Committee do consist of Twenty-one Members.

Ordered, That Mr. Joseph Ewart and Mr. Beecroft be added to the Committee.

Lunæ, 11° *die Aprilis*, 1864.

Ordered, That the Petition of Salesmen of imported Cattle at the Metropolitan Cattle Market, for alteration of the Cattle Importation Bill, be referred to the Committee.

Veneris, 15° *die Aprilis*, 1864.

Ordered, That the Report from the Select Committee on the Sheep, &c., Contagious Diseases Prevention Bill (1857), be referred to the Committee.

Mercurii, 20° *die Aprilis*, 1864.

Ordered, That the Petition of the Grand Jury of the North Riding of the County of Tipperary, and Noblemen, Gentlemen, Landed Proprietors, Graziers, Cattle Owners, Salesmen, and Merchants in Ireland, against the Cattle Diseases Prevention Bill, be referred to the Committee.

Jovis, 21° *die Aprilis*, 1864.

Ordered, That the Petition of Graziers, Cattle Salesmen, Butchers, and Dealers largely interested in the cattle trade of the United Kingdom, against the Cattle Diseases Prevention Bill, be referred to the Committee.

Veneris, 22° *die Aprilis*, 1864.

Ordered, That the Petition of Commissioners of Supply for Edinburgh County, for alteration of the Cattle Diseases Prevention Bill, be referred to the Committee.

Lunæ, 25° *die Aprilis*, 1864.

Ordered, That the Petition of Edinburgh Commissioners of Supply for alteration of the Cattle, &c., Importation Bill, be referred to the Committee.

Ordered, That the Petition of Master Fleshers, in the City of Glasgow, for alteration of the Cattle Diseases Prevention Bill, be referred to the Committee.

Jovis, 28° *die Aprilis*, 1864.

Ordered, That Mr. Bruce be added to the Committee.

Jovis, 12° *die Maii*, 1864.

Ordered, That the Petition of Commissioners of Supply, Heritors, and Justices of Ross County, against the Cattle Diseases Prevention Bill, be referred to the Committee.

Veneris, 27° *die Maii*, 1864.

Ordered, That Mr. Bruce be discharged from further attendance on the Committee, and that Mr. Baring be added thereto.

Lunæ, 30° *die Maii*, 1864.

Ordered, That the Petition from Northumberland, for alteration of the Cattle Diseases Prevention, and Cattle, &c., Importation Bills, be referred to the Committee.

Lunæ, 13° *die Junii*, 1864.

Ordered, That the Petition of Landowners, &c., of Northumberland, for alteration of the Cattle Diseases Prevention Bill, and Cattle, &c., Importation Bill, be referred to the Committee.

Veneris, 24° *die Junii*, 1864.

Ordered, That the Petition of Cowkeepers and Dairymen residing within the Metropolis, for insertion of a Clause in the Cattle Diseases Prevention Bill, granting a Right of Appeal to the General or Quarter Sessions, be referred to the Committee.

Lunæ, 27° *die Junii*, 1864.

Ordered, That the Committee have power to Report their Observations, together with the Minutes of Evidence taken before them, to The House.

REPORT.

THE SELECT COMMITTEE to whom the CATTLE DISEASES PREVENTION BILL, and the CATTLE, &c. IMPORTATION BILL, were referred;—— HAVE considered the said Bills, and have taken Evidence thereon; and have gone through the CATTLE DISEASES PREVENTION BILL, and made Amendments thereunto; and with respect to the CATTLE, &c. IMPORTATION BILL have come to the Resolution, that it is inexpedient to proceed with the same; and have agreed to the following REPORT:—

YOUR Committee have taken Evidence with respect to the Cattle Importation Bill which has been referred to them, and they are of opinion that the Law now in force with respect to the importation of cattle from Foreign Countries should not be extended to the carriage of cattle by sea in the United Kingdom, because power exists by Law to prevent the removal of diseased cattle from one part of the United Kingdom to another, which power cannot be exercised in respect to the export of cattle from Foreign Countries to the United Kingdom; and Your Committee therefore consider that the Cattle Importation Bill should not further be proceeded with.

Your Committee are of opinion, that the regulations now in force at the Port of London with respect to the examination and detention of foreign cattle should, in certain respects, be relaxed; and they recommend, that when foreign cattle are imported affected with pleuropneumonia, scab, or foot and mouth disease, only the animals actually at the time affected with these diseases should be detained or slaughtered, and that the remainder of the cargo should be allowed to pass without being detained.

27 *June* 1864.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 15° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Bruce.	Mr. Thompson.
Mr. William Miller.	Mr. Caird.
Sir T. Burke.	Mr. Bentinck.
Mr. Leslie.	Mr. Hunt.
Mr. Holland.	Colonel Barttelot.
Mr. Algernon Egerton.	

Mr. *Bruce* was called to the Chair.

The Committee deliberated.

[Adjourned to Tuesday, 3d May, at Twelve o'clock.

Martis, 3° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. A. H. Bruce in the Chair.

Mr. Bruce.	Mr. Hunt.
Mr. Miller.	Mr. Beecroft.
Mr. Leslie.	Mr. J. Ewart.
Mr. Holland.	Mr. Bentinck.
Lord Naas.	Sir Thomas Burke.
Mr. Alderman Salomons.	Mr. Cox.
Colonel Barttelot.	Mr. Algernon Egerton.

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.

Martis, 10° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. A. H. Bruce in the Chair.

Mr. Cox.	Mr. J. Ewart.
Mr. Leslie.	Lord Naas.
Mr. Beecroft.	Mr. Hodgkinson.
Mr. Leader.	Mr. Caird.
Mr. Algernon Egerton.	Sir Thomas Burke.
Mr. Holland.	Mr. Alderman Salomons.
Mr. Hunt.	Sir William Miles.
Mr. Miller.	Mr. Thompson.
Colonel Barttelot.	

Professor *John Gamgee* examined.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 13° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. BRUCE in the Chair.

Mr. Hodgkinson.
Mr. Hunt.
Sir Thomas Burke.
Mr. Beecroft.
Mr. Caird.
Mr. Holland.
Mr. Thompson.
Mr. Alderman Salomons.
Mr. Algernon Egerton.
Colonel Barttelot.
Mr. Cox.
Mr. Leader.
Lord Naas.

Professor *John Gamgee* further examined.

[Adjourned to Friday, 27th, at One o'clock.

Martis, 31° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. T. G. Baring.
Sir Thomas Burke.
Mr. Algernon Egerton.
Mr. Alderman Salomons.
Mr. Beecroft.
Mr. Hodgkinson.
Mr. Holland.
Lord Naas.
Colonel Barttelot.
Sir William Miles.
Mr. Leader.
Mr. Cox.
Mr. Miller.
Mr. Caird.
Mr. Hunt.
Mr. Thompson.

Mr. BARING was called to the Chair.

Mr. *Frederick John Burge*, Dr. *William Brinton*, and Dr. *Henry Letheby*: severally examined.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 3° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. T. G. BARING in the Chair.

Sir William Miles.
Mr. Leslie.
Sir Thomas Burke.
Mr. Beecroft.
Mr. Miller.
Mr. Holland.
Colonel Barttelot.
Mr. Hunt.
Mr. Cox.
Mr. Caird.
Mr. Algernon Egerton.
Mr. Hodgkinson.
Lord Naas.
Mr. Leader.
Mr. Thompson.
Mr. Alderman Salomons.

Mr. *John Simon* and Professor *James B. Simonds*: severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.

Martis, 7° die Junii, 1864.

MEMBERS PRESENT:

Mr. T. G. Baring in the Chair.

Sir William Miles.
Sir Thomas Burke.
Mr. Leader.
Mr. Leslie.
Mr. Miller.
Mr. Thompson.
Mr. Caird.
Mr. Beecroft
Lord Naas.
Mr. Alderman Salomons.
Mr. J. Ewart.
Colonel Barttelot.
Mr. Cox.
Mr. Hodgkinson.
Mr. Holland.

Professor *James B. Simonds* further examined.

Mr. *John Hall Maxwell* examined.

Resolved, "That the Chairman do proceed to call evidence in support of the Government Bill, and that no other evidence be called until the Chairman shall have closed his case on behalf of the Government, and that an exception be made in the case of Mr. Maxwell"—(Sir. *W. Miles*).

[Adjourned to Friday, at Twelve o'clock.

Veneris, 10° *die Junii,* 1864.

MEMBERS PRESENT:

Mr. T. G. Baring in the Chair.

Mr. Holland.
Sir William Miles.
Mr. Hunt.
Sir Thomas Burke.
Mr. Leslie.
Mr. Leader.
Colonel Barttelot.
Lord Naas.
Alderman Salomons.
Mr. Thompson.
Mr. Miller.
Mr. Beecroft.
Mr. Algernon Egerton.
Mr. Cox.
Mr. Hodgkinson.

Mr. *John Hall Maxwell* further examined.

Room cleared. Committee deliberated.

Resolved, "That the portion of Mr. Maxwell's evidence relating to a letter from Mr. Hardy, be expunged from the notes."

Mr. *John Hall Maxwell* and Professor *Simonds*: further examined.

Mr. *John Hönch,* Mr. *William Simmonds,* and Mr. *John Giblet*: severally examined.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 14° *die Junii,* 1864.

MEMBERS PRESENT:

Mr. T. G. Baring in the Chair.

Mr. Leslie.
Sir William Miles.
Mr. Holland.
Sir Thomas Burke.
Mr. Leader.
Colonel Barttelot.
Mr. Beecroft.
Mr. Hodgkinson.
Mr. Thompson.
Lord Naas.
Mr. Algernon Egerton.
Mr. Alderman Salomons.
Mr. Miller.

Mr. *Thomas Congreve* examined.

Room cleared.

Resolved,

Resolved, "That the disease known by the names of aphtha, aphthous, fever, murrain, and feet and mouth disease, be omitted from the Schedule of the Cattle Diseases Prevention Bill"—(Sir *William Miles*).

Parties called in, and informed of the decision of the Committee.

Mr. *James Whitsed* examined.

Professor *Gamgee* further examined.

Room cleared.

Motion made, and Question put, "That the further examination of Mr. Gamgee be deferred till Friday next."—The Committee divided:

Ayes, 6.	Noes, 6.
Colonel Barttelot.	Mr. A. Egerton.
Sir Thomas Burke.	Mr. Hodgkinson.
Mr. Leslie.	Mr. Holland.
Sir William Miles.	Mr. Alderman Salomons.
Mr. Miller.	Mr. Thompson.
Lord Naas.	Mr. Beecroft.

And the numbers being equal, the Chairman decided with the Ayes.

Parties called in, and informed of the decision of the Committee.

Mr. *David Duncan* examined.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 17° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. T. G. BARING in the Chair.

Sir William Miles.	Colonel Barttelot.
Mr. Leader.	Mr. Beecroft.
Mr. Leslie.	Mr. Hodgkinson.
Mr. Miller.	Mr. Alderman Salomons.
Mr. Thompson.	Mr. Caird.
Lord Naas.	Mr. J. Ewart.

Mr. *James Higgins*, Mr. *John Stott*, Mr. *John Swann*, and Mr. *George Tegg*: severally examined.

Mr. *John Gamgee* further examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Martis, 21° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. T. G. BARING in the Chair.

Lord Naas.	Mr. Hodgkinson.
Mr. Leader.	Mr. Cox.
Mr. Holland.	Mr. Hunt.
Sir William Miles.	Colonel Barttelot.
Sir Thomas Burke.	Mr. Beecroft.
Mr. Alderman Salomons.	Mr. Caird.
Mr. Miller.	Mr. Joseph Ewart.
Mr. Thompson.	

Mr. *Charles Hunt*, Mr. *George Brown*, Mr. *Joseph Kilbee*, Mr. *Peter Aungier*, and Mr. *Samuel Garnet*: severally examined.

[Adjourned till Friday, at Twelve o'clock, to consider the Bills.

Veneris, 24° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. T. G. Baring in the Chair.

Mr. Cox.	Mr. Hunt.
Sir William Miles.	Mr. Thompson.
Mr. Miller.	Mr. Beecroft.
Lord Naas.	Colonel Barttelot.
Mr. Leader.	Mr. Caird.
Sir Thomas Burke.	Mr. Holland.
Mr. Leslie.	Mr. Alderman Salomons.

Committee deliberated.

Motion made, "That your Committee are of opinion that the evidence brought before them shows the difficulty, if not impossibility, of legislating further on this subject of Prevention of Disease in Cattle, without seriously interfering with, and hampering the legitimate operations of trade in animals; and your Committee therefore recommend that the House do not proceed further with the Cattle Diseases Prevention Bill"—(Mr. *Cox*).—To which Amendment proposed, to leave out all the words after "That" in the first line, in order to add the words "the Committee do proceed to consider the Cattle Diseases Prevention Bill"—(Sir *William Miles*)—instead thereof."—Question put, "That the words proposed to be left out stand part of the Motion."—The Committee divided:

Ayes, 5.	Noes, 8.
Sir Thomas Burke.	Mr. Holland.
Mr. Caird.	Mr. Hunt.
Mr. Cox.	Mr. Leader.
Lord Naas.	Mr. Leslie.
Colonel Barttelot.	Sir William Miles.
	Mr. Miller.
	Mr. Thompson.
	Mr. Beecroft.

Words added:—Main question, as amended, put, and agreed to.

On Cattle Diseases Prevention Bill.

Question, "That the Preamble be postponed," put, and agreed to.

Bill considered Clause by Clause.

Clauses 1 and 2, agreed to.

Clauses 3 and 4, amended, and agreed to.

Clause 5, amended.

In Clause 5, line 15, amendment proposed, to omit the word "takes"—(Mr. *Cox*).—Question put, "That the word 'takes' stand part of the Clause."—The Committee divided:

Ayes, 9.	Noes, 3.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Caird.
Mr. Leader.	Mr. Cox.
Mr. Leslie.	
Sir William Miles.	
Mr. Miller.	
Lord Naas.	
Mr. Beecroft.	
Colonel Barttelot.	

In the same line, amendment proposed, to omit the word "diseased"—(Mr. *Hunt*).—Question put, "That the word 'diseased' stand part of the Clause."—The Committee divided:

Ayes, 4.	Noes, 8.
Mr. Holland.	Sir Thomas Burke.
Mr. Leslie.	Mr. Caird.
Sir William Miles.	Mr. Cox.
Mr. Miller.	Mr. Hunt.
	Mr. Leader.
	Lord Naas.
	Mr. Beecroft.
	Colonel Barttelot.

Other amendments made.

Motion

Motion made, after the word "aforesaid," in line 21, to insert the words "or exposes"—(Mr. *Chairman.*)—Question put, That the words " or exposes" be there inserted.—Committee divided :

Ayes, 5.	Noes, 8.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Caird.
Sir William Miles.	Mr. Cox.
Mr. Alderman Salomons.	Mr. Leader.
Mr. Thompson.	Mr. Leslie.
	Mr. Miller.
	Lord Naas.
	Colonel Barttelot.

Amendment proposed, at the end of the clause, to add the words, " brings any diseased cattle into the stations or within the premises of any railway, boat, canal, or other company, or of any other common carrier of cattle, without giving notice to such company or carrier of the disease, and obtained their or his permission to bring them"—(Mr. *Chairman*).—To which amendment proposed, to omit the word " diseased" in the first line.—Question put, That the word " diseased" stand part of the proposed amendment."—The Committee divided :

Ayes, 5.	Noes, 8.
Mr. Holland.	Sir Thomas Burke.
Mr. Leslie.	Mr. Caird.
Sir William Miles.	Mr. Cox.
Mr. Alderman Salomons.	Mr. Hunt.
Mr. Thompson.	Mr. Leader.
	Mr. Miller.
	Lord Naas.
	Colonel Barttelot.

Amendment, as amended, agreed to.

Other amendments made.

Question put, " That Clause 5, as amended, stand part of the Bill," put, and agreed to.

Clause 6, put, and negatived.

Clauses 7, 8, 9, 10, 11, 12, and 13, amended, and agreed to.

In Clause 14, Amendment proposed at the beginning of the Clause, to omit the words " every railway, canal, &c.," to the word " cattle," in the third line—(*Lord Naas.*)—Question put, " That the words proposed to be left out stand part of the Clause."—The Committee divided :

Ayes, 8.	Noes, 4.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Cox.
Mr. Leslie.	Mr. Leader.
Sir William Miles.	Lord Naas.
Mr. Miller.	
Mr. Alderman Salomons.	
Mr. Thompson.	
Mr. Beecroft.	

Clause 14, amended, and agreed to.—Question put, " That Clause 15 stand part of the Bill."—The Committee divided :

Ayes, 8.	Noes, 4.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Cox.
Mr. Leslie.	Mr. Leader.
Sir William Miles.	Lord Naas.
Mr. Miller.	
Mr. Alderman Salomons.	
Mr. Thompson.	
Mr. Beecroft.	

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 27° die Junii, 1864.

MEMBERS PRESENT:

Mr. T. G. Baring in the Chair.

Lord Naas.	Mr. Holland.
Mr. Hunt.	Mr. Leslie.
Mr. Alderman Salomons.	Mr. Ewart.
Sir Thomas Burke.	Mr. Algernon Egerton.
Colonel Barttelot.	Mr. Thompson.
Mr. Caird.	Mr. Cox.

Clause 16, amendments made.

In line 31, Motion made, and Question put, "That the words 'be payable' stand part of the clause"—(Mr. *Chairman*).—Committee divided:

Ayes, 8.	Noes, 4.
Colonel Barttelot.	Sir Thomas Burke.
Mr. Caird.	Mr. Cox.
Mr. Algernon Egerton.	Mr. Leslie.
Mr. Holland.	Lord Naas.
Mr. Hunt.	
Mr. Alderman Salomons.	
Mr. Thompson.	
Mr. Ewart.	

In same line, amendment proposed, after word "shall," to insert the words "except as hereinafter mentioned"—(Mr. *Hunt*).—Question put, "That those words be there inserted."—The Committee divided:

Ayes, 7.	Noes, 5.
Sir Thomas Burke.	Colonel Barttelot.
Mr. Algernon Egerton.	Mr. Caird.
Mr. Holland.	Mr. Cox.
Mr. Hunt.	Mr. Leslie.
Lord Naas.	Mr. Ewart.
Mr. Alderman Salomons.	
Mr. Thompson.	

Question, "That Clause 16, as amended, be postponed," put, and agreed to.

Clause 17, postponed.

Clauses 18, 19, 20, and 21, read, and agreed to.

MS. Clause A. brought up, and read 1° and 2°, and added to the Bill.

MS. Clause B. brought up, read 1° and 2°, and added to the Bill.

MS. Clause C. (Market for cattle afflicted with certain diseases), brought up, and read 1°.—Question put, "That Clause C. be read 2°"—(Mr. *Hunt*).—Committee divided:

Ayes, 9.	Noes, 3.
Colonel Barttelot.	Sir Thomas Burke.
Mr. Caird.	Mr. Cox.
Mr. Algernon Egerton.	Lord Naas.
Mr. Holland.	
Mr. Hunt.	
Mr. Leslie.	
Mr. Alderman Salomons.	
Mr. Thompson.	
Mr. Ewart.	

In MS. Clause C., in line 6, amendment proposed, after the word "market," to leave out the words "or fair"—(Lord *Naas*).—Question put, "That the words 'or fair' stand part of the clause."—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Algernon Egerton.	Colonel Barttelot.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Caird.
Mr. Alderman Salomons.	Mr. Cox.
Mr. Thompson.	Mr. Leslie.
Mr. Ewart.	Lord Naas.

And the numbers being equal, the Chairman decided with the Ayes.

Other

Other amendments made.

Question, "That MS. Clause C. be added to the Bill," put, and agreed to.

Clause D. (Prohibition of feeding swine on uncooked flesh), brought up, and read 1°.—Question put, "That Clause D. be read 2°."—The Committee divided:

Ayes, 8.	Noes, 4.
Mr. Algernon Egerton.	Colonel Barttelot.
Mr. Holland.	Sir Thomas Burke.
Mr. Hunt.	Mr. Caird.
Mr. Leslie.	Mr. Cox.
Lord Naas.	
Mr. Alderman Salomons.	
Mr. Thompson.	
Mr. Ewart.	

Amendment proposed, in line 3, to leave out the words "five pounds," in order to insert the words "forty shillings"—(Mr. *Cox*).—Question put, "That the words 'five pounds' stand part of the clause."—Committee divided:

Ayes, 3.	Noes, 8.
Mr. Holland.	Colonel Barttelot.
Mr. Hunt.	Sir Thomas Burke.
Mr. Thompson.	Mr. Caird.
	Mr. Cox.
	Mr. Algernon Egerton.
	Mr. Leslie.
	Lord Naas.
	Mr. Ewart.

Question, "That the words 'forty shillings' be there inserted," put, and agreed to.

Clause D. further amended, and added to the Bill.

MS. Clause E. (Appeal to Quarter Sessions), brought up, read 1° and 2°, and added to the Bill.

MS. Clause F. (Penalty on sender of diseased animals or food for sale), brought up—(Mr. Alderman *Salomons*)—and read 1°, as follows:—

"Every person who knowingly and wilfully sends, consigns, or delivers, or causes to be sent, consigned, or delivered to or at any market, fair, place, house, shop, or premises where food for man is prepared, deposited, sold, or exposed for sale, or to any salesman or other person at any such market, fair, place, house, shop, or premises any carcass, meat, or fish which is unfit for human food, with intent that the same may be sold or used for human food (which intent he shall be deemed to have unless he prove that he had not such intent), shall, upon conviction, be liable for every such offence to a penalty not exceeding 20 *l.* for the first offence, and for the second or any subsequent offence to a like penalty, or to be imprisoned, with or without hard labour, in the common gaol or house of correction for any period not exceeding three calendar months."

Question, "That Clause F. be read 2°", put, and negatived.

Postponed Clause 16, considered, and further amended.

Question, "That Clause 16 stand part of the Bill," put, and agreed to.

Clause 17, amended.

Amendment proposed, to leave out all the words after "arise" in the 12th line, to the end of the Clause—(Lord *Naas*.)—Question put, "That the words proposed to be left out stand part of the Clause."—Committee divided:

Ayes, 8.	Noes, 3.
Colonel Barttelot.	Sir Thomas Burke.
Mr. Caird.	Mr. Holland.
Mr. Cox.	Lord Naas.
Mr. Egerton.	
Mr. Hunt.	
Mr. Leslie.	
Mr. Thompson.	
Mr. Ewart.	

Clause 17, further amended.

Question, "That Clause 17, as amended, stand part of the Bill," put, and agreed to.

MS. Clause H. brought up, and read 1°, as follows:

"Every person who knowingly and wilfully sends or delivers, or causes to be sent, consigned or delivered, to or at any market, fair or place where food for man is sold, or to any salesman at such place, or to any station or office of any railway company or common carrier for the purpose of being sent to any such market, fair or place, or to any salesman at such place, with intent that the same may be sold or used for human food (which intent he shall be deemed to have unless he prove that he had not such intent), shall, upon conviction, be liable for every such offence to a penalty not exceeding Five pounds"—(Mr. *Hunt*).

Question, "That Clause H. be read 2°," put, and negatived.

Schedule considered. Amendments made.

Schedule 2 brought up, read 1° and 2°.

Question put, "That the word 'pleuropneumonia' be inserted."—The Committee divided:

Ayes, 7.	Noes, 4.
Colonel Barttelot.	Sir Thomas Burke.
Mr. Algernon Egerton.	Mr. Caird.
Mr. Holland.	Mr. Cox.
Mr. Hunt.	Lord Naas.
Mr. Leslie.	
Mr. Thompson.	
Mr. Ewart.	

Question put, "That the word 'scab' be inserted."—The Committee divided:

Ayes, 6.	Noes, 4.
Colonel Barttelot.	Sir Thomas Burke.
Mr. Holland.	Mr. Caird.
Mr. Hunt.	Mr. Cox.
Mr. Leslie.	Lord Naas.
Mr. Thompson.	
Mr. Ewart.	

Preamble amended by inserting the words "consolidate and" in the first line.

Question, "That this be the Preamble of the Bill," put, and agreed to.

Question, "That this Bill be reported to the House," put, and agreed to.

Ordered to Report.

CATTLE, &c., IMPORTATION BILL.

Resolved, "That it is inexpedient to proceed further with the said Bill."

Draft Report proposed by the Chairman, read 1° and 2°, as follows:

"Your Committee have taken evidence with respect to the Cattle Importation Bill which has been referred to them, and they are of opinion that the law now in force with respect to the importation of cattle from foreign countries should not be extended to the carriage of cattle by sea in the United Kingdom, because power exists by law to prevent the removal of diseased cattle from one part of the United Kingdom to another, which power cannot be exercised in respect to the export of cattle from foreign countries to the United Kingdom.

"Your Committee are of opinion, that the regulations now in force at the Port of London with respect to the examination and detention of foreign cattle should, in certain respects, be relaxed; and they recommend that, when foreign cattle are imported affected with pleuropneumonia, scab, or foot and mouth disease, only the animals actually at the time affected with these diseases should be detained or slaughtered, and that the remainder of the cargo should be allowed to pass without being detained."

Report amended by inserting after the words "United Kingdom," in the 6th line, the following words: "and your Committee therefore consider that the Cattle Importation Bill should not further be proceeded with."

Report, as amended, agreed to.

Ordered to Report, together with Minutes of Evidence and an Appendix.

EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Professor John Gamgee	Professor of Veterinary College, Dublin.	Edinburgh - - -	Ten -	7 6 –	21 – –	28 6 –
Ditto - ditto -	Ditto - ditto -	Ditto - - -	Six -	7 6 –	12 12 –	19 18 –
Mr. John Hall Maxwell, C.B.	Highland Agricultural Society.	Edinburgh - -	Five -	7 – –	5 5 –	12 5 –
Mr. Thomas Congreve	Farmer and Grazier	Coventry - - -	One -	1 5 –	1 1 –	2 6 –
Mr. James Whitsed -	Ditto - ditto -	Peterborough - -	One -	1 11 –	1 1 –	2 14 –
Mr. James Higgins -	Meat Inspector -	Leeds - - -	Two -	2 14 –	1 10 –	4 4 –
Mr. George Tegg -	Veterinary Surgeon	Stamford-hill, Middlesex	One -	– 8 –	1 1 –	1 9 –
Mr. Peter Aungier -	Cattle Salesmaster	66, Eccles-street, Dublin	Three -	5 8 –	3 3 –	8 6 –
Mr. Joseph Kilbee -	Ditto - ditto -	Liverpool - - -	Two -	4 8 –	2 2 –	6 10 –
				TOTAL - - - £.		85 18 –

LIST OF WITNESSES.

Martis, 10° *die Maii*, 1864.

Professor John Gamgee - - - - - - - - - - - p. 1

Veneris, 13° *die Maii*, 1864.

Professor John Gamgee - - - - - - - - - - - p. 24

Martis, 31° *die Maii*, 1864.

Frederick John Burge, Esq., M.R.C.S. - - - - - - - p. 48
William Brinton, Esq., M.D. F.R.S. - - - - - - - - p. 57
Henry Letheby, Esq., M.D. - - - - - - - - - - p. 59

Veneris, 3° *die Junii*, 1864.

John Simon, Esq., F.R.S. - - - - - - - - - - p. 72
Professor James Beart Simonds - - - - - - - - - p. 79

Martis, 7° *die Junii*, 1864.

Professor James Beart Simonds - - - - - - - - - p. 93
John Hall Maxwell, Esq., C.B. - - - - - - - - - p. 107

Veneris, 10° *die Junii*, 1864.

John Hall Maxwell, Esq., C.B. - - - - - - - - - p. 115
Professor Simonds - - - - - - - - - - - p. 120
Mr. John Hönck - - - - - - - - - - - p. 120
Mr. William Simmonds, M.R.C.V.S. - - - - - - - - p. 124
Mr. John Giblet - - - - - - - - - - - p. 128

Martis, 14° *die Junii*, 1864.

Mr. Thomas Congreve - - - - - - - - - - - p. 133
Mr. James Whitsed - - - - - - - - - - - p. 137
Professor John Gamgee - - - - - - - - - - - p. 139
Mr. David Duncan - - - - - - - - - - - p. 143

Veneris, 17° *die Junii*, 1864.

Mr. James Higgins - - - - - - - - - - - p. 149
Professor John Gamgee - - - - - - - - - - - p. 154
Mr. John Stott - - - - - - - - - - - p. 161
Mr. John Swan - - - - - - - - - - - p. 163
Mr. George Tegg - - - - - - - - - - - p. 167

Martis, 21° *die Junii*, 1864.

Mr. Charles Hunt - - - - - - - - - - - p. 169
Mr. George Brown - - - - - - - - - - - p. 169
Mr. Joseph Kilbee - - - - - - - - - - - p. 172
Mr. Peter Aungier - - - - - - - - - - - p. 182
Mr. Samuel Garnet - - - - - - - - - - - p. 189

MINUTES OF EVIDENCE.

Martis, 10° *die Maii*, 1864.

MEMBERS PRESENT:

Colonel Barttelot.
Mr. Beecroft.
Mr. Bentinck.
Mr. Bruce.
Sir Thomas Burke.
Mr. Caird.
Mr. Cox.
Mr. Algernon Egerton.
Mr. Joseph Ewart.
Lord Naas.
Mr. Hodgkinson.
Mr. Holland.
Mr. Hunt.
Mr. Leader.
Mr. Leslie.
Sir William Miles.
Mr. Miller.
Mr. Alderman Salomons.
Mr. Thompson.

THE RIGHT HON. H. A. BRUCE, IN THE CHAIR.

Professor JOHN GAMGEE, called in; and Examined.

1. *Chairman.*] YOU are the Principal of the New Veterinary College at Edinburgh?—I am.

2. How long have you been in the profession?—Between 13 and 14 years.

3. During that time, I believe you have made very extended and special studies into the diseases of cattle?—I have.

4. Will you be good enough to inform the Committee what opportunities you have had of examining the cattle in different parts of the country?—When I was first in London, I took occasion to study the diseases in the London dairies, and I saw such an enormous amount of loss, that I extended my investigations into the country. I witnessed very similar losses in Yorkshire. I was there in practice for several months, and afterwards travelled abroad on purpose to study the diseases of animals there. I returned home, and continued my investigations in London and in the country, in England, and then I went to Scotland. I there at once entered upon an investigation as to the distribution of disease in Scotland. That investigation led me to refer an enormous amount of the loss to the traffic in diseased animals; and I published my observations at that time, though referring simply to one or two counties, in the Highland Society's "Transactions." I afterwards continued to prosecute inquiries all over the country; and indeed I may mention, that for the last five years I have addressed circulars all over the country, with a view to making myself thoroughly acquainted with the question, so far as I possibly could. I then investigated the working of the insurance companies throughout the land, and I believe that I have more accurate statistics than can be produced in relation to any medical question that has been mooted for a long time past.

5. You were, I think, employed under the Privy Council to report upon the diseases of live stock in relation to the public supplies of meat and milk?—I was.

6. In that Report, did you give certain statistics as to the number of cattle, as to the loss by disease, and as to the amount of diseased meat and milk that was sold?—I did.

7. I think you estimated the loss by diseased cattle at five per cent. on the whole number?—I did; it is at the very least that.

8. You assume the whole number to be, in round numbers, something under eight millions?—Yes.

9. I am now speaking of horned cattle, and not sheep or pigs?—Yes.

10. How did you arrive at that estimate of five per cent. per annum on the whole quantity?—I arrived at that estimate from having data referring to a certain extent to England, but principally referring to Scotland. Now, I knew, from previous experience, that Scotland was the healthiest part of the three kingdoms; and on the occasion of my travelling for the Report, I found it absolutely true—that there was most disease in Ireland; if anything, less in England; and least of all in Scotland. That is to say, our hilly districts and our breeding districts in Scotland are undoubtedly the spots where contagious diseases least penetrate.

11. Do I understand you to say that in Scotland, which you consider the healthiest of the three

Professor *J. Gamgee.*

10 May 1864.

three kingdoms, the losses amount to five per cent.?—Yes; and I believe it is not below that at present.

12. On what authority do you make that statement?—On the authority of insurance statistics. I may mention that I now have in my hand some papers referring not only to Scotland, but to the country at large, including Scotland; and the statement, brought out from investigation of the three largest companies that ever existed, is so very similar in the three cases, that it shows how we can thoroughly rely on the matter.

13. I will first of all examine you with reference to your report, and then you may state any additional facts; will you be good enough to state first of all how you obtained what in your opinion was accurate knowledge with respect to the amount of disease in Scotland?—In three ways; first, from my own personal practice and experience over the country; in the next place from veterinary surgeons and a number of my own students over the country; and thirdly, and best of all, from the insurance statistics through Mr. M'Minn.

14. Who is Mr. M'Minn?—He was for a considerable time manager in Scotland of the Agriculturists' Cattle Insurance Company.

15. Were the operations of that company very extensive?—The most extensive of any provident institution that ever was established, I believe.

16. Will you be good enough to state to how many counties these experiments refer, and what were the results?—I am afraid that I should have to look at my data for that, I do not know that I should be able to trust my memory to long numbers.

17. You can refresh your memory by any data which you have made yourself?—Here we have the data tabulated according to the different class of stock, dairy cows, heifers, calves, twelve month feeders, and six month feeders. Here is a summary of the whole table. It refers to 29,989 animals, or for practical purposes 30,000. The insured value represents a sum of 336,851 *l.*

18. Let us take the numbers first?—The number lost on the 30,000 is 1,474.

19. What per cent., is that of the whole?—4·915; very nearly five per cent.

20. Mr. *Caird.*] Does that apply exclusively to Scotland?—Yes.

21. *Chairman.*] Is that the experience of one year or several years?—It is the experience of six years, from 1855 to 1860 inclusive. The money loss is greater, because it is the best animals that die.

22. You can also give the money loss?—The value of the 29,989 animals was 336,851 *l.* The value of the animals lost was 16,925 *l.* 15 *s.* The average value of the animals insured was 11 *l.* 4 *s.* 7 *d.*; and the average value of the animals lost was 11 *l.* 7 *s.* 8 *d.*

23. Could you give the class of which there is the greatest loss?—Yes; as a rule, it is the dairy cows. The rate per cent. loss amongst the dairy cows is 5·634; the rate per cent. amongst heifers, and this is most interesting, was 2·796. The per-centage of loss of calves in their tender periods of life, was 5·604. The per-centage of loss of twelve month heifers, was 5·858; and the per-centage of those fed for six months, for the six months, was 2·805; or for the whole year, keeping them at the twelve month, it would of course amount to five per cent.

24. You say that you have other statistics derived from insurance offices on these points?—I have.

25. Will you be good enough to give the results of them?—Might I be permitted to say that with regard to these statistics, there are two or three special points which indicate their value. In the first place they represent the loss not on the worst stock in the country, but on the stock selected for the purposes of a company which wished to make a profit. In the next place, we have a money transaction relating to each animal that dies; so that it was not likely that the company would pay for more animals than died, and on the other hand there was such a disposition on the part of the proprietor to make as much as he possible could by his salvage, that everything was turned to good account; so that the loss really in every way comes below the mark.

26. How is the selection, of which you have just now spoken, made?—This selection refers to the three largest companies in Britain.

27. But how is the selection made?—By inspectors.

28. Will you proceed to give your evidence with respect to that?—I have here a table showing the number of the persons out of 10,000 persons who insured stock, the number that lost, and the extent of the losses. I have here a table in two years only of 2,026 stockowners. The total number who lost, out of that 10,000, was 3,250.

29. Those are the persons insured?—Yes; probably representing 40, 50, 80, or 100 cattle each, or more. The number of these 3,250 who lost double the amount that they paid to the insurance offices, was as high as 1,084. More than one in ten of the persons, who insured, lost therefore twice the amount they paid to the insurance companies. Out of the 3,250, 283 lost a quarter of their whole stock, which of course is very considerably above double the premiums paid; 149 lost half their stocks; 60 lost the whole, that is to say, every animal that was on their place.

30. From whom do you derive that information?—From the books of the three insurance companies.

31. Are those the aggregate results?—Those are the aggregate results for two years.

32. Have you any objection to give the names of the three companies?—Not at all. One is the Farmers' and Graziers' Mutual Insurance Company; the other is the National; and the largest is the Agriculturists'.

33. Where were the operations of those three societies carried on?—Over the whole of the country.

34. What do you mean by the whole of the country?—I must make an exception there; over the whole country, except the towns, for they dare not insure in towns.

35. Do you mean Scotland as well as England?—Scotland, England, and Ireland.

36. Mr. *Hunt.*] What is the average number of stock which each of these proprietors had?—I am not prepared to say.

37. The average number of stock which each of the proprietors had who lost the whole of his stock?—I have not the materials. They can be had; and I may mention that I have the value of the losses, giving the exact figures, representing the value of the animals, and the value of the losses.

38. Mr. *Cox.*] In each country?—For the three countries together.

39. *Chairman.*]

39. *Chairman.*] Will you give all the information which you have obtained?—From 1849 to 1856 (Company A.) the Agriculturists' Cattle Insurance Company: premiums paid, 99,184 *l.*; loss on that, 74,906 *l.* The ratio per cent lost was 75·5. This includes horses; and it is well known that insurance companies made their profits on horses, and their loss on cattle. They lost upwards of cent. per cent. of their premiums on cattle, but made large profits on horses.

40. Mr. *Cox.*] That does not include sheep, does it?—Yes; sheep were never insured to a very large extent from the difficulties of inspection. Company B. is the National Live Stock Insurance Company. Animals insured, 202,485; this was in three years only from 1854 to 1857. The value of that stock was 1,643,944 *l.*, and a fraction. The premium paid was 53,465 *l.* The per-centage of animals lost, was 4·532, and the ratio per cent. of loss to premium 75·365.

41. Mr. *Caird.*] The ratio of loss to premiums, was 75 per cent., do you say?—Yes, 75·356.

42. Are you to conclude from that, that the insurance companies had a profit of 25 per cent. on those insurances?—Yes, I presume there would of course be a great deal of expense out of that 25 per cent. for working expenditure. These are the net figures with regard to loss. I am prepared to prove, at least I know the proof can be obtained, that on cattle alone there was always a loss, and that the expense of management and any profits that should accrue to the company, came out of the horses. Company C., the Farmers' and Graziers' Mutual Insurance Company, extended its operations from 1845 to 1849. The premiums received, were 86,301 *l.* 5 *s.*; the amount of losses 64,656 *l.* 17 *s.* 4 *d.* The ratio per cent. losses to premium 74·9.

43. That was upon horses?—Cattle, and all animals. The ratio of losses to premium on the three companies taken together, therefore, is 75·3 per cent. The three are very close together.

44. Have you any distinction between cattle and horses?—I have not with regard to these special companies.

45. Have you the means of furnishing the distinction between cattle and horses?—That can be obtained.

46. *Chairman.*] Have you any further information to give, derived from insurance offices?—I have some recent information with regard to insurance offices. The cattle insurance of the country is now conducted to a limited extent principally by two companies; a new one started in Nottingham, and one started in Norfolk.

47. Mr. *Thompson.*] Is there any classified list of the diseases of these cattle?—Yes, I have that in the Report, and I have some evidence on that point.

48. *Chairman.*] Have you any further statistical information to give with respect to insurance offices; we will exhaust that part of the subject before going on to the classification of diseases?—With regard to last year, I have a letter from the secretary of the Norwich Company, especially with regard to the loss by pleuro-pneumonia which amounts, as a rule, to 50 per cent. and upwards.

49. Fifty per cent. on the total loss?—Yes. The purport of the letter was that whereas, in 1862, the claims from loss by pleuro-pneumonia amounted to one-third of the total claims in 1863, they only amounted to one-fifth of the total claims. I may mention that the Norfolk Cattle Insurance Company has a limited sphere of operations at the present time, and the amount of work done is very limited indeed. With regard to Nottingham, I have statistics to this effect, that on stock to the value of 29,802 *l.* there was a loss of 1,016 *l.* That shows a loss of 3·40 per cent., not including salvages, which would bring it up to about 2½ per cent. more.

50. In what year was that?—One thousand eight hundred and sixty-three. The number of animals lost is 80, of which 44 died of pleuro-pneumonia.

51. Out of how many?—You can calculate them very closely; it is about 11 *l.* a head; that is their insured value, 11 *l.* or 12 *l.* a head.

52. Mr. *Cox.*] That includes horses as well?—No, this is cattle.

53. *Chairman.*] Now with respect to the classification of diseases, and of the animals that died in these insurance offices, have you a table there?—I have two tables.

54. Will you put them in evidence?—Yes.

[*The same were handed in, and were as follows:*]

TABLE showing a Number of over 10,000 Persons who lost Stock, and the Extent of their Losses out of a given Number of Insurances effected.

——	1857.	1858.	TOTAL.
Number of persons whose stock was insured	4,832	5,294	10,026
Number of claimants	1,591	1,659	3,250
Number losing double their premiums	481	603	1,084
Number losing one-fourth of whole stock	113	170	283
Number losing one-half	60	89	149
Number losing all	23	37	60

Ratio of Losses since 1849 to 1856, all Animals included.

Company (A.)

	£.
Premiums	99,184
Lost	74,906
Ratio per cent. lost	75·5

Ratio of Losses from 1854 to 1857 inclusive.

Company (B.)

Animals insured	202,485
Insured value	1,643,944 *l.*
Premiums,—366	53,465,059 *l.*
Per centage of animals lost	4·532
Ratio per cent. of loss to premium	75·356

Company (C.)

Period 1845 to 1849.

	£.	*s.*	*d.*
Premiums received	86,301	5	—
Amount of losses	64,656	17	4
Ratio per cent., losses to premiums	74·9		

Ratio of Losses to Premiums received.

	Per cent.
Company (A.), during 1849 to 1856	= 75·5
Company (B.), during 1854 to 1857	„ 75·4
Company (C.), during 1845 to 1849	„ 74·9
Average	75·3

Professor *J. Gamgee.*

10 May 1864.

Losses in Ayrshire during the Years 1852, 1853, and 1854.

Number of animals	31,620
Lost by pleuro-pneumonia	953
Lost by murrain	32
By black leg	599
Accidents, fever, &c.	1,214

Society (C.)

Lost from March 1844 to March 1847.

Number of animals	3,859
By pleuro-pneumonia	1,601

It may be well, perhaps, that I should mention that upwards of 50 per cent. of the losses represented by these insurance companies are losses that were never incurred prior to their existence or prior to the importation of foreign stock; that is to say, that the losses never attained anything like the losses here represented before contagious diseases came into the country.

55. Upon what authority do you make that statement?—On the authority of the investigations that were purposely made at the origin of these insurance companies, with a view to determine the real loss; and I make it also on the knowledge of the losses in districts where there is no pleuro-pneumonia. Then we find, when we come to examine the list of diseases, that we invariably have somewhere about 48, 50, 54, or 55 per cent. loss by lung disease, by pleuro-pneumonia.

56. When were the first insurance companies founded?—To any considerable extent, about 1846. I believe the system of cattle insurance is new. Cattle diseases began to spread over Europe in 1830, during the present century, in consequence of the demands of the western countries for stock; and then with this demand in the west there was a propagation of disease. The Belgian Government then started an insurance company, somewhere about 1836.

57. When you say cattle diseases, to what special diseases do you refer?—The foot and mouth disease, and pleuro-pneumonia.

58. What, in your opinion, was the date of the first appearance of pleuro-pneumonia in this country?—The first appearance of pleuro-pneumonia to any extent was after the month of July 1842. There appear to have been some cases of pleuro-pneumonia in the south of Ireland before that.

59. How long before that?—Somewhere about the end of 1839 or the beginning of 1840.

60. Were those cases specially inquired into?—I made such inquiries as could possibly be made in a matter of that description, the person who owned the first stock having died. However, I was very careful in ascertaining, from all who knew where the disease first broke out, that it broke out amongst Dutch cattle, Dutch cows, imported with a view to improve the breed. I was first told that, when attending a show in Limerick, several of the agriculturists knew the fact that the disease had been first introduced there, for one of Her Majesty's consols at the Hague thought that it would be very advantageous to bring across some fine Dutch cows; he did so, and pleuro-pneumonia spread.

61. That, in your opinion, is the first record of pleuro-pneumonia in these islands?—Yes.

62. Now you have stated the nature of the evidence which you have got upon this subject, where was the place that the disease broke out?—I am afraid I cannot tax my memory at the present moment; but I can soon ascertain it.

63. Do you know in what county?—In county Cork.

64. Now with respect to the foot and mouth disease; when, in your opinion, is the first record of that disease?—The foot and mouth disease first came over in 1839; there is no doubt whatever about that.

65. How do you fix the date of that?—Very readily; I fix the date from the reports that immediately appeared in the farmers' journals, in the daily journals, and, in fact, from the great outcry that it created when the cattle in Smithfield were taken with a disease, became lame, and were suddenly killed; and, in fact, the losses were tremendous at that moment, and everybody was seriously alarmed.

66. What was the name which it was at first called?—It was called "the epidemic;" in fact, you will find it referred to in the insurance statistics under the head of "the first epidemic."

67. When did it acquire the name of the foot and mouth disease?—Immediately. There happened to be some communications from abroad at the time saying that the disease was very rife in Prussia; it was there called the maul und klauen seuche. We take the name from the Germans, and we call it the foot and mouth disease.

68. It is a translation of the German name?—Yes.

69. You have given general statistics, and you have spoken now with reference especially to insured cattle, which I think you said were in your opinion favourable specimens of the average cattle of the country?—Decidedly.

70. Can you state generally, so far as your practice and experience extends, whether your own observation confirms or does not confirm the evidence derived from these insurance companies?—It does confirm it entirely. May I mention this important fact, that I have here under the insurance statistics the loss by fatal disorders, I have not the losses represented by the foot and mouth disease, which have exceeded the losses by pleuro-pneumonia in this country. In 1863 I believe firmly that the amount of money loss in this country by the foot and mouth disease exceeded the loss by pleuro-pneumonia.

71. How did that money loss arise?—In various ways. I have received some very valuable information even since I came up to town. In the first place, the most serious loss is in the dairy cows; you have cows brought with the foot and mouth disease showing inflammation of the teats, the milk is not readily drawn from the udder, they get inflammation of the udder, "garget," as it is commonly called in the country, and with that attack they not unfrequently die, or are rendered useless; they are enormously reduced in flesh, and in fact, they are very often rendered valueless for the dairyman. Last year the foot and mouth disease took the most malignant form in some cases. I can adduce the evidence of some veterinary surgeons who have reported on this; and I can adduce the evidence of what I treated. A dairyman in Glasgow, Mr. Harvey, who has 1,700 cows, says, "I never lost anything before like I lost last year by the foot and mouth disease. I got abscesses as the result of it, and the animals died; they were lingering, and I could not get any milk. I lost enormously by it."

72. You

72. You have, I believe, some special information to give with respect to losses in dairies?—I have.

73. Will you be good enough to give it to the Committee?—It is with lung disease, more particularly. I may mention that when I first investigated the losses in the town dairies in London, I formed an opinion that on the total stock kept there would never be a loss below 33⅓ per cent. Those are the first statistics that I published.

74. Do you speak now of loss of life or money?—Of course the animals were not allowed to die: they were forthwith killed when seized with the fatal disease; but 90 per cent. of the animals that were killed, under any circumstances would of course have died very soon. On this point I have no doubt, and in fact I know that further evidence can be adduced that on a stock, say, of 200 cows, somewhere between 800 and 900 cows were lost within four years. Between 800 900 cows were lost in one solitary dairy, where the average number of animals kept was 200.

75. Mr. *Cox.*] Where was that?—That was near St. Pancras, close to Gower-street; you can obtain full particulars of that.

76. *Chairman.*] Who would give that evidence?—Mr. Hunting.

77. The owner of the dairy will, himself, give that evidence?—I believe the person is dead; but you can obtain most satisfactory evidence upon that point.

78. From whom?—From Mr. Hunting, a veterinary surgeon of South Hetton, who was attending the stock at the time. I, myself, have seen 21 animals carted out of one yard in one week with the disease.

79. Will you give the results of your own inquiries into the statistics of dairies?—I have the tabulated statistics of 88 dairies in Edinburgh. Those 88 dairies contain, as a rule, 1,839 cows. I may mention that they are not all the dairies of Edinburgh, but nearly all; they are all that I could obtain. Of those 1,839 cows, 791 were sold, diseased, to butchers.

80. In one year?—In one year, from the 1st July 1861 to the 1st July 1862; then, there were 284 sold for pigs to eat, a most dangerous system, thus bringing up the diseased to 1,075 out of 1,839.

81. How did you obtain those statistics?—I obtained those statistics myself from many, and referred to the books of not a few. I then, fortunately, had some friendly dairymen who obtained from their friends the remainder. I at the time communicated to the Privy Council Office with regard to these important facts, and stated that before the publication I should adopt a further means of correcting my evidence. I got several of the cow-dealers in my own study, who I knew supplied a considerable number of those persons; and I said, "Now, here is Mr. So-and-so who keeps stock; is that right?" "Yes, he has lost so many during the last year. I can safely say that in nine cases out of ten he has lost more; he really has lost more, there is no doubt about that."

82. You have attended a good many dairies yourself?—A great many.

83. Extensive dairies?—Yes, the most extensive in the country.

84. Where?—In London, Glasgow, Newcastle; and I have been consulted generally about stock in different parts of the country.

85. What is the number of cows which would be in the larger dairies that you have attended?—The largest is 1,700; that is the largest in the world.

86. Was that dairy under your charge?—It is under my charge at the present time.

87. That is the one in Glasgow?—Yes.

88. The owner of which, I believe, is prepared to give evidence?—I have no doubt he would. He is an old gentleman, but either himself or his manager would give evidence, I have no doubt.

89. Mr. *Leader.*] Are those cows all together?—Yes.

90. *Chairman.*] You have given those statistics as the result of your inquiries in the 88 dairies at Edinburgh: is there anything in those statistics which, considering your experience at other places, astonished you?—Not at all. I was most fortunate in getting some very friendly witnesses in Dublin; and there are nine dairymen in Dublin from whose books, with the assistance of a veterinary surgeon, I collected the average of losses over 20 years, which certainly would represent pretty much the loss of 180 dairies during one year.

91. I believe the dairies in Dublin are managed on more healthy principles than those in the large towns in the rest of the empire generally?—It is generally supposed that they are, but I do not call it a healthy system. I do not call the Newcastle system a healthy system, where the cows are turned on to the common. There is not the slightest doubt that the greatest loss is sustained in the summer, and it is sustained when all the cattle are congregated together. The privilege of sending cows on to the common, for example, is recognised by many freemen of Newcastle as more a curse than a blessing.

92. At Dublin they are not sent out?—They are sent to the Phœnix Park. I have seen them milked in the Phœnix Park when they were bleeding with the foot and mouth disease, and suffering in the most serious manner. I have repeatedly gone into the Phœnix Park and seen cows with the lung disease congregated together.

93. Give us, if you please, the statistics in respect of your inquiries into the nine dairies at Dublin?—For over 20 years nine dairymen confessed to 315 cows being kept, on an average, annually: that is the total number.

94. You do not mean nine times 315?—No; 315 kept annually by the nine dairymen, collectively, in nine dairies. Of these there were annually sold, diseased, 161. The average loss in money in each year was 1158 *l.*

95. I presume you mean the loss in consequence of the diminished value of the animal, which was sold in a sickly state?—Quite so.

96. Mr. *Hunt.*] Not the loss on the whole establishment. It is the loss on the sale and purchase?—After all salvages are considered; what the men really were the poorer in consequence of the disease.

97. *Chairman.*] These 161 animals did not die diseased, as I understand, but were sold diseased?—Yes; they were slaughtered.

98. And the loss represents the difference between the diseased and the healthy animal?—Quite so. I may mention that in Dublin they cannot get the price which is got in Edinburgh for diseased cows. They are not so favourably situated for their sale, and their loss is therefore more severe.

99. You have given the statistics of certain

Professor *J. Gamgee.*

10 May 1864.

dairies in Edinburgh and Dublin, without going further into the dairies of other large towns in England; do you believe that the mortality and loss is as great in these very large towns as in Edinburgh and Dublin?—Decidedly. I know it to be the fact, from long experience in the matter.

100. When you say you know it, I presume you speak partly from your personal experience, and partly from information you have derived from credible sources?—Yes.

101. Have you the names of the dairymen in Dublin?—I have not got them here. I may mention that, for very obvious reasons, I took very great care to furnish Government with the names of everybody, but it was with this understanding. Those names might, perhaps, be published in one of the local papers; and they thought that it was not at all right to publish them. I took every precaution to satisfy the Privy Council Office that what I stated to be the fact was the fact. I may mention that one gentleman in Dublin was extremely friendly, and he was one of the persons who trade principally in English calves. He confessed how seriously Ireland suffered from the trade in English calves; that the disease in Ireland was carried over to a great extent by their importing these English calves. They could not help themselves. The calves at home were not well kept, and they had to buy from Manchester, Rochdale, and similar places; and they spread disease and death wherever they went. He knew that perfectly well.

102. Why were the calves you speak of imported into Ireland?—Simply because the management of calves is not very good. They have very serious losses. They have not been able to supply themselves with calves; and they have found that the shorthorn calves, the produce of the large dairy cows, supplied to the large towns, whenever they can get them at all sound, are really the best paying calves.

103. Why should there be a special and very large loss of calves in Ireland?—The special cause in Ireland, as in every place, is dysentery, which is quite a preventible disease. By a little management, I have not the slightest doubt that the whole thing would be readily rectified. I know of no part in the United Kingdom where the disease can be more readily rectified than in Ireland.

104. Mr. *Hunt.*] You have spoken of the dairy cows in large cities; I want to know whether your attention has been directed to dairies in the country?—I have no statistics on that point. I have inquired into the matter very much indeed; and the breeding districts in this country, taking them as a whole, are healthy: where the Devon cattle are bred they are healthy, and where the Ayrshire cattle are bred, as a rule, they are healthy. I am ready to point to broad districts where, year after year, there has been no such thing as pleuro-pneumonia, or foot and mouth disease, except perhaps an accidental outbreak. But there are certain counties where there is a mixture of breeding and grazing, and buying and selling, and importation as well as exportation, and there the loss is very severe. I have here the loss in Ayrshire, collected not by insurance companies but, with the greatest possible care, by a banker, the factor for one of the largest estates in Ayrshire; and the losses in Ayrshire during the years 1852, 1853, and 1854 were as follows: out of 31,621 animals, 953 died of pleuro-pneumonia; 32 died of what they there call murrain, the foot and mouth disease; 599 by black-quarter (black-leg, as they call it), anthrax; and with accidents, fevers, &c., all other circumstances included, 1,214.

105. *Chairman.*] This information which you have given us refers to the amount of disease, generally, in rural districts?—In about 18 parishes of Ayrshire.

106. I understood Mr. Hunt's question to have special reference to the diseases of dairy cows in the country?—I beg your pardon. These are principally cows. Ayrshire is a cow-breeding district. I believe there is not a spot in the United Kingdom so steeped with disease as Cheshire, especially within a circle of 20 miles, amongst the dairy cows there. They are in connection with the Liverpool market, and the amount of disease there is very great.

107. Do you speak of your own knowledge, or from information?—I speak of my own knowledge, from having travelled, and having students there. My own students being in the locality, I am constantly receiving information from there, and the insurance statistics will prove it.

108. It is your belief that disease extensively prevails not only in the large towns, but generally through the country, where a considerable number of cows are collected together?—Are being bought; that is all. Wherever they are being bred there is no disease, and cows are as healthy as any other stock in the country.

109. Have you statistics of disease in Cheshire?—They can be obtained; I have not got them here.

110. Can you get them and give them to the Committee at a later time?—I believe I can obtain the information.

111. Mr. *Hunt.*] What I wanted to ascertain from you was this: whether this great loss among dairy cows was to be attributed to the conditions under which they lived. You state, generally, that there is great loss amongst the dairy cows; but perhaps you can compare the losses?—May I ask the precise import of your question: whether the manner in which the cows are kept in towns increases their mortality?

112. Yes?—My experience of the matter is this: that wherever we get pleuro-pneumonia in the breeding districts of Lanarkshire, Ayrshire, or Cheshire, in the country we rarely get any part of the stock saved, whereas the malady acquires a more subdued form in the town dairies. Although it seems very remarkable, taking merely the buildings and the circumstances under which the animals live, the conditions are rather in favour of the town than of the country in that way in relation to this disease. I can give you satisfactory evidence on that point. At the dairy in Glasgow, for several years past, in order to get the standing stock of cows in health, young stock has been brought in and has been infected.

113. Infected with what?—With the disease. Diseased cattle have been put amongst them.

114. With what disease?—Pleuro-pneumonia. These animals have all of them taken it, and, at all events, some of them have not shown signs of it. Perhaps 50 per cent. would have it in a latent form; the other 50 per cent. would get it, and amongst the yearlings the loss was found to be not so large as amongst the cows. Therefore they got these yearlings, cheap animals, and then they kept them on to the condition of cows. Whenever

Whenever they have had these yearlings taking the disease about this time, about the month of May, and when they have sent them to the country to graze them, they have always had a great loss; but whenever they kept them crammed together, and warm, with proper ventilation, they found that the loss was never so large.

115. *Chairman.*] You are now speaking of the dairy of Mr. Harvey?—Yes.

116. He has 1,700 cows, and he practises the system of infection on principle?—Yes.

117. Just as vaccination is practised among human beings?—Quite so.

118. Mr. *Hunt.*] With regard to the loss of cows sent into the country: will you tell me whether these animals have not been kept very warm for a long period, and then suddenly sent down, where they lay out in the open?—Not at all; because, in the first place, they are very careful to acclimatise them. At this season, if you go there, you find all the place perfectly open at the top, and the doors open; and they turn them out one hour to-day, and two hours to-morrow; they take every possible precaution. If I am called to a dairy in Ayrshire or Lanarkshire, I know I lose the majority of those animals unless some measures are taken immediately; whereas, in a town dairy, one might be seized to-day, and another a week hence. The loss, of course, is great, and attains an enormous proportion.

119. *Chairman.*] Can you give anything like an accurate per-centage of the loss in the country and in the towns?—The loss in the towns is well known. For example, I have here a statement, which I made at a public meeting, of a loss of 80,000 *l.* on 12,000 cows kept in London.

120. You just now stated that, in your opinion, the losses were less in well-managed dairies in town than in equally well-managed dairies in the country?—Yes.

121. Could you state what is the comparative amount of loss in the two?—The comparative loss is this: that in a dairy in the country very generally you have a complete extermination of the stock, while in the town you have the animals resisting for a longer period against the disease.

122. Then you could not give an accurate per-centage?—I think the accurate per-centage comes from the facts that have been already brought forward here. The total loss over the country is, unquestionably, lower than the town; for here we have a congregation of animals, and a removal by weekly purchases; in the country stock is not so often recruited. You have, of course, the breeding districts free of disease.

123. My question had reference to this: can you state, for instance, whether, in a dairy such as Mr. Harvey's, supposing pleuro-pneumonia existing there, the loss would be 20 or 25 per cent., and whether, supposing an equal number spread over Ayrshire, the loss would be 50 per cent., or any other number?—I am not prepared to give exact numbers.

124. Mr. *Hunt.*] I should have expected that an animal kept in town for some months, and then sent to the country, would be liable to disease. I will ask you whether animals kept in the country all the year round, lying out, or under open sheds, are as liable to disease as others?—May I give you a fact upon that, taking Newcastle at the present time? The losses are greater in the Summer than in the winter. The cows are principally brought at this time from the country, where they have been out in the fields; they are not kept in the towns; they are sent out on the common daily from morning to night. On those animals that are kept in the summer there is always a greater loss than on the animals that are kept regularly in the town, shut up in the dairies during the winter.

Professor *J. Gamgee.*

10 May 1864.

125. Mr. *Cox.*] We want to arrive, if we can, at the relative amount of disease between town dairies and country dairies?—Now I understand. I am most anxious to give every possible information I can on the point. I may mention that, with regard to the relative amount of disease in the town and country dairies, there is infinitely more in the town dairies. The disease is concentrated in our large towns. But why? The dairymen in the large towns are every week in the market. They buy one to-day, and another the next day, and unless they take the precautions that some of them are taking now, of putting their newly-bought animals in quarantine, of going to the railway for them instead of to the market, and, in fact, avoiding the public market, and the contact with stock as much as possible; unless they adopt those precautions they cannot fail to get the disease. I can adduce instances, in Edinburgh and in London (not one but several in London), where, by very judicious management, the disease has been kept under.

126. *Chairman.*] I understand the general result of your evidence to be this, that among a thousand cows in the town, and a thousand cows in the country, there is more disease in the town than in the country?—Clearly.

127. And among a thousand diseased cattle in the country, and a thousand diseased cattle in the town, the loss would be greater in the country than in the town?—It would be more rapid and greater; there is no doubt about it.

128. Mr. *Thompson.*] I think I understood you to say, that there was a greater amount of disease in the dairies near the towns; I should like to ask whether you find that obtains generally in the dairies near the large towns, where a large number are bought in the public market, whether the cows there are much more diseased than those in dairies in the more retired country districts?—Clearly. The disease does not exist in many breeding districts. In many of the country dairy districts you may have an outbreak now and then, in a wide district extending over many miles. In Lanarkshire I had last year two outbreaks on the same farm; one first bought stock from Dumfries. We stopped the disease. The second lot of cattle were bought to replace 17 or 18 animals that had been lost in about three weeks. All the newly-bought stock took the disease the moment it came in; it was pleuro-pneumonia. There had been no disease in the whole of that district.

129. *Chairman.*] I understand you to lay it down as a general principle, that the districts where there are very few imported cattle are free from disease; and the districts where great numbers of cattle are imported and brought from diseased parts of the country, suffer a good deal?—Quite so.

130. Can you speak as to the amount of diseased cattle imported into this country?—I have here a table; and the other day I took some notes. They are increasing very largely. There is a table here of the importation up to last year; I have a table from 1842 to 1862. Do you wish the table of numbers? Here is the whole table, containing the

Professor *J. Gamgee.*

10 May 1864.

the amount of cattle, sheep, and swine imported in each year since 1842 inclusive.

131. It is not so much the quantity of cattle as the quantity of disease. Can you give the proportion of diseased cattle?—It is quite impossible. I cannot give that. I have the evidence of my investigations abroad, for I was sent specially abroad to inquire into that matter in connexion with the outbreak of small-pox.

132. What is the total number of cattle imported every year?—In 1862 it attained to upwards of 64,000 oxen and bulls, and upwards of 4,000 cows. Last year it greatly exceeded that, and it is increasing now. 29,000 calves, 276,000 sheep, 23,000 lambs, and 18,000 swine.

133. Do those animals arrive usually in a healthy state?—I have seen them constantly arrive, and I have seen them sometimes in a healthy state, and sometimes in a diseased state. There is a great difference in stock arriving from different ports. I never saw a diseased animal imported from Brittany or Spain. I never saw a Spanish ox brought into the port of Southampton or arrive in London with any trace of disease upon it, but I have seen it diseased if kept there a week.

134. Which are the countries that furnish us with the greatest amount of diseased cattle?—At the present time the country furnishing us with the largest amount of disease is Prussia, but Holland has given us an enormous amount of disease. There is a very interesting fact with regard to Holland. Prior to the British ports being opened, Holland exported to the Rhine. Of course it always produced more stock than it could consume, and at that period Friesland and North and South Holland and all the northern provinces of Holland were perfectly free from any contagious disease, and had their normal local disorders; their normal rate of disorders. The instant we opened our ports the contagious maladies began to advance northwards; westward to Rotterdam, and northward to Friesland. At the present moment the largest amount of disease is near the ports directly north, the ports of exportation, where the cattle dealers, in fact, are buying to send over to our country. This, mind, is not a matter of hearsay evidence; it is a matter of tabulated statistics, and on those tabulated statistics I furnished the Privy Council with a map.

135. The districts nearest the port of export to which cattle are brought are those which suffer most from disease?—Yes; in fact, the place where the trade has concentrated—Friesland—is the worst, there is no doubt about that.

136. Have you any statement to make with respect to the geographical distribution of diseases?—I have this most important statement to make, in the first place; throughout the experience of man the continent of Europe has suffered more severely than the islands of Europe, the islands having exported principally, and not imported; Great Britain and Ireland were no exception prior to the free importation of stock. Now our losses are fully up to the losses of any other part of the continent. Strange to say, when we investigate the relative amount of losses in different parts, we find that it is very similar; there is a striking coincidence between the losses by these disorders. The continental States have protected us to a large extent. For example, there is the Russian plague; nothing could have saved us having the Russian plague but for the quarantine, and the rigid means of prevention that existed on the Austrio-Russian and Russo-Prussian frontiers. In the next place we find that the contagious diseases, the foot and mouth disease, the lung disease, and small-pox disease in sheep, travel steadily from Asia to Russia, are constantly met with in many districts in Russia, come through Austria and Prussia, and then from the ports of Rotterdam and Hamburg to London, Leith, Hull, and other ports.

137. Have these diseases visited Spain at all?—I believe that during the last century, the period of the wars, they occasionally suffered; but Spain has for long been healthy. Spain can give stock to France and England. It is a peninsula with very little chance of the introduction of stock, and they really are not suffering. Italy suffered last year seriously from the Russian plague, and they got it through Turkey; some Turkish cattle crossed from Illyria to Ancona which communicated the disease. I have no doubt every one remembers the reports which appeared in the "Times" at that time. Through Turkey the malady spread to Egypt by Constantinople, or somewhere about the Dardanelles. It crossed over into Africa, and they have suffered very severely in Egypt too. We trace the diverging lines from Russia. With regard to the small-pox, it is stationary in Prussia.

138. Small-pox in what?—In sheep. Not that the disease is there enzootic, but it is annually reproduced by the farmers on the Polish frontiers, fearing that the stock of traders would give them the small-pox, and that they would have very serious losses, inoculating their lambs; the inoculated diseases being as contagious as the natural disorder, the diseases light up and away they spread. On the advice of Professor Gerlach, of Hanover, in some of the districts they have given over the yearly inoculations; and where they have done so, they have found the greatest advantage from it; they found the disease then and there abate, and it is as much foreign to Prussia as it is foreign to Britain.

139. Have you made any investigations with respect to the state of the cattle that arrive in English ports, from Scotland and Ireland?—I, of course, have many opportunities of seeing them; I saw some the other day, and of course we have healthy and we have diseased. It is the same in every other channel of traffic in the country.

140. Is there a considerable proportion of diseased cattle arriving, for instance, from Ireland?—I should think that there is not very much more arriving from Ireland than from many other places. There are more diseases in Ireland, and so there must be more diseased stock come across.

141. Where have you seen it?—I have seen stock coming into Liverpool, for example, and I have been in the Birmingham market when the Irish stock has come in; but I may mention here with regard to the relative healthy condition of stock that there is no doubt that in Ireland they do lose a considerable deal from the poverty of many of the districts, and the cattle not being so well cared for. I am not under the belief that the Irish cattle are more liable to pleuro-pneumonia than Scotch or English cattle. I do not believe that an Irish ox is at all less or more susceptible to pleuro-pneumonia than the short-horned or the Angus cattle. For a long time it was the belief that there was no chance of the black cattle in Scotland getting the disease; but

but that entirely arose from the fact that they were in distant parts, and it was several years before the disease got there.

142. Is the proportion considerable of diseased cattle that arrive from Ireland?—I remember on one occasion, at Waterford, seeing three diseased cows tied up ready to be embarked for Bristol.

143. Mr. *Cox.*] Out of how many?—I suppose some 25 or 30. I have constantly seen a whole cargo affected with the foot and mouth disease going across; and indeed, for example, at Newport in Monmouthshire I have been consulted on this very point. There was there the introduction of whole cargoes with the foot and mouth disease, and my advice was sought with regard to the nature of the disorder, whether it was contagious, and cargo after cargo has been brought in.

144. *Chairman.*] Have you seen them suffer from pleuro-pneumonia?—Yes.

145. On their arrival?—Yes.

146. In any considerable quantity?—Yes; of course every one who has any practice as a veterinary surgeon has seen the fresh stock purchased in Yorkshire. I remember when I was specially practising about Thirsk, that I there had many stocks of Irish cattle affected with the disease of pleuro-pneumonia. If you go to Scotland, for example, you will have stocks brought from England and Ireland affected with pleuro-pneumonia. If you go into Kent, you will have Dutch stock and Irish stock. The Scotch stock is healthy at home, the Irish stock is healthy at home, and the English stock is healthy at home. The farther you make it travel, the more disease there is.

147. Mr. *Leslie.*] The question of the Chairman is, that you should state some proportion?—I can only give you the relative proportion of disease in the three countries in this way; that there is the lowest amount in Scotland, a shade above that in England, and somewhat above that in Ireland. If the mortality is five in Scotland, it is on an average somewhere about seven in Ireland.

148. Mr. *Cox.*] And what in England?—Somewhere about six; between the two.

149. Do you explain that, by the keep being worse?—Yes, no doubt, amongst the young stock there is a very great deal of that, but chiefly from the peculiarities of the cattle trade in the three countries.

150. *Chairman.*] Now, with respect to the disease from which the cattle suffer, you have said that in your opinion pleuro-pneumonia was the most widely spread disease?—No, the foot and mouth disease is the most widely distributed; is most rapidly distributed over the country; but the fatal disorder that has most directly destroyed stock, is pleuro-pneumonia.

151. We will begin with pleuro-pneumonia; I think you said, that of late years, or at any rate during the year 1863, it had not been so fatal as in some of the previous years?—From some sources I have evidence that the disease was not so severe: 1862 was one of the worst years that I ever had, as bad as 1856. As a general fact, according to my own impression, 1862 has been a healthy year; but I have some very startling facts from different parts of the country with regard to disease having prevailed; indeed of late I have had more outbreaks coming under my notice than at any former time.

152. Have you any reason to believe, that on the whole, apart from some difference here and there, pleuro-pneumonia is on the increase or decrease?—I believe that there is really no change whatever. This year we shall have losses exceeding 1863. That is my firm belief, from what I have seen.

153. Do you believe the means of checking the extent of this disease exists?—I think so to a very great extent; in fact, I know so from my own experience, wherever I am called in.

154. What are the measures which you would take with respect to pleuro-pneumonia, to check its propagation?—The measures which I have taken for several years, and those which I have taken recently are somewhat different; but amongst all feeding stocks I auscultate the whole of the animals, and separate those that are diseased. That process of thorough separation in the early stage is most useful in any contagious disorder. Afterwards, it has been found that keeping the healthy stock on sulphate of iron, dosing them daily with very great care, giving them sulphate of iron in their food, strengthened the system. It prevented exudation, and strengthened the animals against the disease. I have repeatedly stopped it in that way.

155. Suppose you are summoned to the owner of a large quantity of stock, amongst which pleuro-pneumonia has appeared, what is the usual course adopted to check the disease?—Of late, since I had the meeting with the veterinary surgeons of Hamburg last July, I have inoculated to a great extent; and amongst cows it is the only chance we have, for the ferrugineous tonics dry up the cows, the milk ceases, and the animal is useless. Inoculation is not attended with that result, and I have had the greatest success from it.

156. Have you found it necessary to kill the cattle often?—I have.

157. To kill them on your first being sent for?—Yes. I will give you an instance: I was called to a case in Fife, where I separated four animals.

158. Out of how many?—I believe there were about 35. I can give you the exact numbers. Nobody knew that these four bullocks were diseased; they would not believe me. A butcher bought them, and kept them for a month, and he had to kill one after the other. They were suffering from pleuro-pneumonia; I ascertained on auscultation that the lungs were involved. Nobody would believe it; and every one of the animals were destroyed. I believe that if at that period of entering upon an outbreak, an experienced man killed the stock at the period of incubation, the disease would often be arrested, especially with the adoption of other means, and you would not have the propagation of the disorder.

159. In your opinion, is the disease highly contagious in that stage?—Decidedly highly contagious.

160. At a stage when the appearance of the disease is not visible to an ordinary observer?—I may mention that I believe there is as much disease propagated by apparently healthy animals as there is by acutely diseased animals in the period of invasion. At the earliest period there may not be much poison thrown off; but very soon, from the expired air, there is a great deal. We constantly have stock bought that is never

Professor *J. Gamgee.*

10 May 1864.

never supposed to be diseased, and the stock all around it is destroyed.

161. Let me go back to my question; I will suppose you sent for to the hills of Aberdeenshire, to a stock-keeper, who has 300 or 400 head of cattle, among which the disease of pleuro-pneumonia has appeared, what means would you take to stay the progress of the disease and prevent the danger of contagion?—With my present knowledge, I should inoculate them all, and should adopt the principle of separation, and the principle of even giving them tonics.

162. Should you expect many to die in your hands?—Say, on a stock of 300, I might have four or five cows die afterwards; but I should not have any more. I have only had one instance; it is a very strange thing, but the very last case I have had is the first case of failure which I have had.

163. But the inoculation applies to those who have not yet had it. I am now supposing a number of cattle actually suffering from the disease; how do you deal with that case?—By setting them aside, giving them little food, and not much to drink or to eat; in fact, sometimes they will not eat, at other times they will; but whether they will or not, they ought not to be drenched or tormented; and there is not the slightest doubt that medicines very generally do harm rather than good.

164. What are the chances of recovery in general?—I should think 50 per cent. of them would recover, taking a large number; if you take a dozen, six would die.

165. Would it be your advice to the farmer, under these circumstances, to take the chance of recovery, or to kill them?—Often I have been able to induce them to take the chance of recovery. Of course, I never would think of urging them to move any animal off the farm, because it is only spreading the disease in every possible direction. If they are to be slaughtered, let them be slaughtered there.

166. You would object to moving animals that had the disease, even in its earliest stages?—Most decidedly.

167. Is it your opinion that the disease is much propagated by moving them?—It is constantly propagated in that way.

168. Are the diseased cattle able to travel well?—Very often they have to cut their throats by the roadside. Of course, travelling aggravates the disorder very seriously; and if they are to be eaten at all, they are very much worse after they have travelled 50 or 60 miles.

169. I suppose they are usually moved by railway, where the opportunity exists?—Usually.

170. Have you ever observed the manner in which they are moved by railway?—I have seen the diseased animals placed amongst a lot of healthy ones. I have seen trucks of cattle going from Penrith, the finest short-horn cows that could be got. I have known a truck of diseased cattle hung on in front of those cows. The disease could thus only be propagated; there was no other way.

171. With respect to the waggons themselves; what is the condition of the waggons in which they are moved?—As a rule, the waggons are very filthy; I know no exception. I have not had the satisfaction of seeing a new and clean waggon, though I have seen a great many waggons.

172. Do you believe that healthy cattle, standing in the dirty straw in which diseased cattle have been travelling, would be very likely to take it?—Decidedly.

173. Mr. *Hunt.*] You mean diseased of pleuro-pneumonia?—Yes. I do not think that the poison of pleuro-pneumonia remains in a truck for long; I think it soon disappears, though the fæces of animals afflicted with it are undoubtedly most active causes of the propagation of the disease: they are charged with the poison almost as much as the breath of the animal.

174, *Chairman.*] What steps would you recommend to be taken in order to do away with that cause of danger?—In the first place, I certainly should not allow anything like diseased animals, if possible, getting into the railway trucks, and then thoroughly washing them. I believe there is no better purifier than water, if you get a strong hose and use the water well.

175. Should you be satisfied with water in all cases, even where it was known that diseased cattle had been travelling recently?—No, I should think not. I think it is extremely easy to have an antiseptic soap, or something very cheap indeed. Soap is constantly used for passenger carriages, and it could be used to wash these trucks and perfectly purify them; it is just the expense of washing them.

176. Mr. *Hunt.*] If you are going into the question of cattle trucks, I take it there is a very great difference in the spread of disease by cattle trucks in the different diseases?—Decidedly.

177. Mr. *Holland.*] There is one question which I should like to ask with regard to pleuro-pneumonia; when you inoculate cows, is the disease as violent as when they catch it naturally?—No; I have stocks in Edinburgh, and Glasgow, and other towns, where the cows have never lost a drop of milk through it.

178. *Chairman.*] You have stated that in your opinion a great deal of contagion is propagated by means of railways?—Yes, decidedly.

179. Are animals suffering from pleuro-pneumonia usually conveyed in trucks for the purpose of being slaughtered, or for the purpose of being sold?—For both purposes; I have known them for both purposes. On one occasion I delivered a lecture in Edinburgh on the prevalence of disease and the sale of diseased meat, and many of the butchers there, instead of taking the cattle to the slaughterhouses, trucked them to Glasgow, and of course the cows of the city of Edinburgh were trucked to Glasgow for the Glasgow citizens. I know, about three weeks ago, that two animals were seized in Glasgow, or were inspected, at any rate, suffering from pleuro-pneumonia. They had come from Aberdeen: I need scarcely tell you that they would not go from Aberdeen to Glasgow in any other way than by railway.

180. I presume they could not go from Aberdeen to Glasgow by railway without the chance of infecting, if the disease is infectious?—Yes, any number of animals. In Perthshire I ascertained that constantly the animals were sent infected. I knew an instance of a gentleman there who had pleuro-pneumonia amongst his stock. A cattle-dealer, just as the cattle-dealers do abroad, went and bought up the whole of this stock and then sent it to Glasgow the next week. I need scarcely tell you that they buy the infected stock from the farmer cheap, and they sell it as apparently sound. They will kill out the two or three diseased ones. Last week, or the week before last, I saw a bullock with pleuro-pneumonia

monia on a cattle-dealer's farm, and a lot of other cattle around that animal.

181. What I understand you would wish to see done, would be, that whenever the cattle are diseased in that way the owner of them should be compelled to keep them on his farm, to kill those which were likely to die, and to keep the rest and endeavour to cure them?—I think we may divide it into two cases, especially with regard to pleuro-pneumonia. In the towns, if you try to force the people to keep their stock at home, the necessary consequence would be a great increase of disease, for they would have no chance of separation. In the country a man might take the option of killing his stock or keeping it on, but whatever stock he did kill he should kill at home and nowhere else. I may mention that, even with regard to district slaughterhouses in the country, I have known the most evil results follow from that. In a district where a slaughterhouse existed, and there were diseased cattle there, the farmers around suffered very severely from that practice.

182. Would you allow the removing of cattle from town into the country, but not allow it from the country into the town?—Not from the town into the country. In a town dairy I should insist on the removal of the animal, unless they had means of separation, to some slaughterhouse or other place where the animal is taken charge of; but with regard to the country farmers you cannot adopt such a measure. That is the first question a farmer asked of me, "How shall I move my stock from this place to another?" "Certainly not, keep it where it is. You will have no more loss, or very little." I am happy to say that in my experience I have never had an instance where I had occasion to regret it.

183. Mr. *Caird.*] I thought you said the first thing you recommended was to separate them?—Yes.

184. Mr. *Hunt.*] You take the healthy animals away?—Wherever a stock is seized with pleuro-pneumonia, I should not allow sale from off that farm.

185. *Chairman.*] You separate the diseased from the healthy?—Yes. I never had an instance where it could not be done.

186. You do that without removing them from the farm?—Decidedly. I wish to explain myself on that point. For example, there are many farmers that have, say, two steadings, and I have been asked, "Shall I remove the stock from this steading to that steading?" I rather avoid anything like a great disturbance of the stock. If I have a separate stable quite distinct from any other, I prefer having the diseased there and not to move them any distance. Secure as much separation as you can, with the least possible disturbance in removal.

187. Now, with respect to animals when slaughtered, do you believe the meat of animals killed in the various stages of pleuro-pneumonia to be unwholesome food?—I believe that the stock slaughtered affected with pleuro-pneumonia in this country has undoubtedly induced a considerable amount of disease.

188. Is that from your own experience or from communication with other medical men?—Principally from communication with other medical men, and, of course, from investigating matters, I have known ill effects such as, say, two or three people dining and known to be dining on bad meat. I have had them with diarrhœa and dysentery, and they have only had a potato, bread, and a glass of water, besides the meat.

189. What is the appearance of an animal, an ox, for instance, that has been killed in an advanced stage of pleuro-pneumonia?—Of course, the common test is examining the thorax; the butchers carefully strip the ribs.

190. I want the appearance of the animal when killed, not the practices of the butchers in respect to them; the appearance of the animal when killed in an advanced stage of pleuro-pneumonia?—Usually the flesh is dark, sometimes of a yellowish colour, jaundiced; lean in the advanced stage, and very often there is no rigidity; instead of the body being quite stiff and rigid, it is flaccid and what the butchers call "wet." Then you have exudations on the pleura, unless they have been stripped off. The meat has not the fine juicy character of healthy meat. If you pass your fingers along a slice of healthy meat it slides over it, but with this your finger sticks; it is dried up and black.

191. In what stage of pleuro-pneumonia are you speaking of?—I am speaking of rather an advanced stage, but I may mention to you that my opinion of an advanced stage is not the general opinion. I trace the advanced stage of pleuro-pneumonia by the extent of ravage in the lung. Very generally the idea is taken merely from the appearance of the flesh, or from a general examination of the carcass.

192. What is the appearance of the lung at the different stages of the disease?—For the earliest stage you have one portion of the lung, usually the posterior lobe of the right or left lung, with an exudation in it, a quantity of lymph. If you keep that animal from 48 to 56 hours, in some few cases the malady may not have advanced far. The weight of that portion diseased might have attained 5 or 6 lbs. The lung may then weigh from 10 to 20 lbs.; commonly, however, it speedily rises to 25, 30, 40, and I have known it 50 lbs. and beyond.

193. Would an animal having a diseased lung of the weight of 50 lbs. present any external appearance of suffering?—As a rule, I have known them when they have not. As a rule, with anything like such a disease, you have very manifest symptoms, which always can be diagnosed by an experienced person.

194. Do you assert that wherever the lung is much enlarged, an alteration takes place in the appearance of the flesh?—Yes, decidedly, and a very serious alteration in the character of the flesh; the nutriment of the meat is gone, the juicy richness of the meat is lost.

195. Do you state that on an analysis of the meat itself?—I state it from direct examination of the structures, and constant experience, and from pathological section.

196. Then it is your belief that the meat of the animal is at any rate less nutritious than the meat of a healthy animal?—Very much so. I think it is very much in that way proportionate to the length of time the disease has existed, and proportionate to the extent of the exudation.

197. Mr. *Hunt.*] What would be about the time it would take in a very rapid case, for an animal having taken the disease, to attain that state of disease in which it would be necessary to kill it to prevent it dying of itself; how many days would it extend over?—Really I have known animals die within 24 hours after persons first noticing that they were diseased.

Professor *J. Gamgee.* —— 10 May 1864.

198. Can you state what is the ordinary length of the disease; I suppose it varies in different animals?—Yes; if the two lungs are involved, the animals die speedily; commonly, they die in three or four days asphyxiated; they have no lung to breathe with. In other cases of pleuro-pneumonia, the animals live for three or four weeks, and even longer.

199. Do you believe it dies within three or four days from the time it took the disease?—No; with regard to pleuro-pneumonia, it is the most insidious plague known, from the length of the period of incubation, and the length often of its latent stage. The period of incubation is never below a month; usually about 40 days; often exceeding that. That is why the disease has spread to Australia from Britain. If it had not had a long period of incubation, it never would have gone so far; and that is the great hardship in this country among the stock-farmers.

200. Have you seen animals killed in every stage of pleuro-pneumonia?—In every stage; thousands of them.

201. Have you had opportunities of seeing a great deal of dead meat in different markets?—Enormous quantities.

202. I suppose your greatest experience has been at Edinburgh?—Of course, during the last few years, my greatest experience has been there; but I have seen it in London, and other towns to a great extent.

203. In Edinburgh, is it your opinion that there is a great deal of the meat of animals that died of pleuro-pneumonia, sold and consumed?—I can state this, that all the animals that die of pleuro-pneumonia, with the singularly few exceptions that are eaten by pigs, and the still much rarer exceptions that may be buried, are all eaten. The rule is to eat them. Probably one in 500 goes somewhere else.

204. Mr. *Cox.*] Do you mean animals that die?—Animals that die or are killed. I have stood by animals that have been killed after receiving aconite; I have seen them covered up with cloths waiting until the butcher arrived to stick them, and then and there sent off to market; I have not seen that done once, but constantly.

205. *Chairman.*] In Edinburgh?—And everywhere else. In Dublin, on one occasion, I went into a slaughterhouse; there were ten animals standing, and nine of them in an advanced stage of pleuro-pneumonia; they were slaughtered, and sold as human food.

206. Mr. *Hunt.*] Being in such a state that they would risk human life?—Decidedly; on that point of risking human life, I may say that on looking at an animal, I care not in what stage it is, we cannot calculate with precision on its effects. The meat destroys few; but that there is a large amount of injury inflicted there is no doubt. I have known a butcher cutting the carcass of an animal, which has suffered from pleuro-pneumonia, opening the carcass, and the septic fluid from the chest, the liquid that is accumulated in the thorax, splashing in his eyes, inflamed his eyes, his face, and the skin down the trunk, and nearly killed him. I have seen that twice.

207. *Chairman.*] That was pleuro-pneumonia?—Yes. The poison itself of pleuro-pneumonia can only affect an ox; there is no doubt about that. It is not like the poison of some malignant maladies, like anthrax; it is a poison peculiar to the ox tribe, and can only induce this effect on the ox tribe; but, in the progress of the disease, you have deterioration of the flesh; and then you have the septic poisons, which develope in most malignant disorders.

208. I understand, without yourself being able to trace immediately any direct evil effects from the consumption of meat and cattle dying of pleuro-pneumonia, it is your belief that it must be injurious, and in your belief it is not equally nutritious to sound meat?—Decidedly.

209. And you believe that very large quantities of animals are killed in that advanced stage of disease, and that the consumption must be injurious?—Yes. The great hardship is that they need not be sold. I never had an instance occurring to me where the thing could not be put a stop to.

210. Do I understand you to mean that if greater obstacles were put in the way of the sale of animals suffering from this disease that the disease itself could be greatly checked?—Yes, there would be preventive measures.

211. Do you yourself connect a great portion of the disease with a want of legislative interference?—Decidedly. I know, for example, that abroad, if they had not legislative interference, they would constantly have famines.

212. At Edinburgh have the authorities taken any steps to check the sale of diseased meat?—I have been quite unable to get them to do anything.

213. I presume there is an officer in Edinburgh who has charge of the markets and the public interests?—Not to inspect the diseased live stock. I have constantly heard the market-clerk and others say that it would be very desirable to separate the diseased from the healthy animals.

214. But with respect to the dead meat?—Yes, there are two inspectors.

215. Do you know upon what principle they interfere with the sale of dead meat; what they consider to be unfit for human food?—I know that one of them, at all events, has very strongly advocated the belief that a great deal of diseased meat is perfectly wholesome, and has acted accordingly. Another one, unfortunately, has not been very active. In fact, they neither of them have been active. The meat inspection in Edinburgh is practically not in existence. You have a certain per-centage of animals seized, but for practical purposes there is no control whatever. I have stated that repeatedly, and am prepared to furnish any amount of proof on that point.

216. Then it is your belief that the authorities at Edinburgh permit the sale of a good deal of meat which, in your opinion, ought to be condemned?—I believe that the authorities of Edinburgh are misdirected or misguided. I do not wish to imagine that there is anything like a desire to connive at the traffic. I believe that now there is a firm desire to see a proper remedy, and probably they are waiting for the issue of the legislation on the matter.

217. Mr. *Cox.*] There is a difference of opinion?—Yes; but there are plenty of my opinion.

218. *Chairman.*] Have you any knowledge, first hand, of the sale of diseased meat in London?—I have constantly inspected the markets here.

219. Is there much meat of animals that have died of pleuro-pneumonia sold in London?—Yes, enormous quantities. The unfortunate thing here is, that with the best supervision, in the country, so far as the City of London is concerned, the immediate

immediate neighbourhood is teeming with every kind of wretched produce, though the City of London itself is an exception to the rule. In fact, Dr. Letheby publishes his accounts of the amount of diseased meat seized, and that is only a small portion.

220. You say that all round him, in the suburbs of London, which I believe are inhabited chiefly by the working classes, very large quantities of diseased meat are sold?—Enormous quantities.

221. Should you go on to say, which meat would have been condemned had it been the City of London?—Decidedly. The inspectors of the City of London complain that they cannot reach across their own boundary.

222. Mr. *Cox.*] Do you know where that diseased meat comes from which you say is sold round the suburbs of London?—Yes; it comes from the country, and from the suburbs outside the City of London. I know, for a fact, that the slaughterers who killed the largest number of diseased cows were in the neighbourhood of Aldgate; but they have been moved by railway improvements, and they are now outside somewhere or other.

223. Now, we will go to the foot and mouth disease; you have stated that the loss from that disease is very great?—Yes.

224. But the loss is not so much from death as from the deterioration of the animals?—Yes.

225. Mr. *Hunt.*] You are going to another disease now. At what stage of the disease of pleuro-pneumonia could an ordinary observer, an unscientific person, discover the disease; how many days might the disease be latent in the animals, and an unscientific person not discover it?—There have been cases where I have known the animal to be diseased three weeks before anybody has seen it to be diseased.

226. *Chairman.*] You having auscultated it?—Yes. I have separated the animal three weeks before anybody declared that it was diseased; I do not mean to say that that is the rule.

227. Now, as to the foot and mouth disease, will you state what you have to say upon that question?—With regard to the foot and mouth disease, it is well known that if a lot of lean stock is brought on the farm, and at all carefully looked after, that within a few days the disease disappears, and the stock is not much the worse for it; and, in the end, perhaps not much money is lost. But it is a very different thing if the foot and mouth disease comes in amongst a lot of fat stock or amongst a lot of sheep, or if it gets in amongst a lot of cows. So far as the fat stock is concerned, the losses are very severe. If that fat stock is moved, as it very often is moved, at once, to be sent to the nearest market, so as not to incur the loss of three or four weeks' reduction in condition, we find the animals suffer very severely indeed. Only last Monday morning I saw a bullock just turned out; he happened to be standing aside in the cattle market, trembling and quivering, bleeding from the feet, slavering from the mouth, and suffering a very great deal indeed, to a very great extent owing to having travelled after being seized with the foot and mouth disease. I have been constantly consulted about the foot and mouth disease, and they have said, "shall we remove the stock?" In the first place, it is propagating the disorder, which should not be; and in the next place, the loss to the farmer is very great if he does move it. I myself believe that it is preferable for him at once to set about and cure it, and get the animals well before he sends them off. In some cases the loss is very great indeed: for example, I have here a letter from Mr. Brown, of Oldham, and he speaks of the pleuro-pneumonia having prevailed, and he says, "The foot and mouth disease, during the whole of the year, prevailed to an alarming degree; a friend of mine has suffered a loss of 400*l.* in milk and butter during that period." With regard to sheep, I know the losses are enormous, especially if the sheep are attempted to be travelled. During the last six months I have had somewhere about 2,000 or 3,000 sheep under my care, with this disease, and being properly treated, within seven days they were all right. The real truth is, that they are not properly treated. They are driven into the markets, turned about one way and the other, and they are sent to graze on the commons; a good many of them die; the majority of them remain tucked up, and very ill for a long time; and the farmer can only lose money by them.

228. What obstacles would you put in the way of the spread of this disease?—Wherever disease appears, I think it is extremely wrong for the stock to be sold. I should not allow it to be sold; of course there would be cases where it would be impossible to make such a restriction; say a load of pigs came over from Ireland to Liverpool perfectly well: they get to Birmingham; by the time they get to Birmingham, they are losing all their hoofs and suffering from great pain, slavering from the mouth, and not feeding. I need scarcely say, that the disease being thus caught on the road, it would be very difficult to know how to dispose of them, were something not done.

229. What would you recommend to be done in such a case as that; the disease, I understand, does frequently appear in cattle of all sorts during their transmission?—I should decidedly strive, by all possible means, to keep them separated, and should insist at once on the use of some antiseptic lotions to kill the virus as fast as it comes off.

230. I will suppose cattle arriving from Ireland, suffering from foot and mouth disease, at the port of Liverpool or Holyhead, how would you treat them?—In a case of that sort, I think it is perfectly possible to a great extent to limit the danger that they would inflict by tracing them. In many cases I believe it would be very difficult to prevent them going to their destination somewhere or other, but wherever that is, they should be taken there, so as to do as little damage as possible, and be placed under proper treatment.

231. Suppose they were going to some public fair to be sold?—I should most decidedly keep them out of the fair. I do not know that we could have our eyes on them all, but I should not allow them to get into the fair.

232. Would not the fair outside of the unhealthy animals be as numerously attended as the inside one of healthy animals?—Sometimes, but not usually; that is a very important point. I have heard persons refer constantly to Allhallow fair last year. There is no doubt that the stock there was all diseased very soon, but they got it off from each other; that is an exception.

233. Is that the Falkirk Tryst?—It is in Edinburgh; the Falkirk Tryst is no exception. Of course you have a large amount perfectly healthy, and a large amount diseased. It is in consequence of

Professor *J. Gamgee.*

10 May 1864.

of the total neglect in watching them and keeping the animals separated, that the disease has attained proportions that are unmanageable.

234. That might be the ultimate result, what would be the result in the course of the next two or three years?—In the very large majority of markets, the thing is perfectly practicable and manageable; in others there may be some little difficulty, but, as a rule, there is not the slightest doubt that the separation of the diseased from the healthy is perfectly possible.

235. We will suppose hundreds of droves arriving at Falkirk Tryst, as I suppose they do?—Yes.

236. Would you insist upon each of those droves being separated, the sound from the unsound?—So far as practicable, by all means.

237. Mr. *Leslie.*] Who is to say which are sound and which unsound?—That is a matter of inspection.

238. *Chairman.*] We will take, first of all, the case of a large fair, because it is difficult in practice to distinguish between the large fairs and small fairs, and there must be one legislation for all; we will therefore take the most difficult case. What I want to know is, supposing thousands of animals converging on Falkirk, in various herds, how you would deal with them?—I believe, if we had a case like last year, in so far as the large majority of cattle are concerned, we should be powerless. We should have very great difficulty in separating. But notice this. In all these fairs there has been a natural separation of sheep from cattle; sheep have suffered less than cattle; the disease prevailing to a great extent in cattle, so that, by a natural separation, we find how the disease is propagated in the one class and not in the other. Taking it as a rule over the country, I believe we can perfectly separate the diseased from the healthy; I think it is by no means impossible to do that. Indeed, yesterday, I went carefully over the whole of the cattle-market at Islington. A very little management indeed would have secured the separation of the animals that were there suffering from the foot and mouth disease. I turned from the place where they were selling them to the lairs, and into those lairs, into which perhaps more stock would be turned, a lot of the cattle with the foot and mouth disease had been placed. If there had been a special place where those animals had been put, they would not have had to be put into the lairs where the healthy stock would have to go. On Sunday I saw there a large amount of perfectly healthy stock. If that stock was not sold yesterday, and was taken back into the lairs where I saw the stock yesterday morning, nothing could prevent it being seized with the foot and mouth disease, and if not sold on Thursday the loss would be enormous.

239. Your opinion is that, whether or not precautions can be taken, there is at present a great deal of most mischievous neglect?—Yes, utter reckless neglect. There is no doubt about that.

240. This disease is particularly mischievous in dairies, I think?—It is.

241. How does it affect dairies?—It affects dairies by spreading very rapidly over the whole of the cows, affecting their teats, and causing a fever. The animals themselves cease to produce any very large quantity of milk, and there is an entire loss of the animal. The dairyman is obliged to buy milk from all sources in order to supply his customers. He does not kill the cattle, so that they have not the temptation of at once offering them for sale.

242. How does it arise in dairies?—Entirely from the buying in of stock.

243. Have you ever formed any estimate of the loss in dairies from this foot and mouth disease?—In general terms, I believe that the loss is equal to that by pleuro-pneumonia, and very often exceeds it. On that point I have no doubt you will get many dairymen to give evidence.

244. Can you yourself give direct evidence as to the effect of using the milk of cattle in this state of disease?—Yes; in the acute stage of the disorder, when there is an eruption on the teats, the milk is decidedly poisonous, and capable of communicating the foot and mouth disease to the human subject.

245. You know as a fact that people do take the mouth disease at any rate?—They do, decidedly. I have seen it, and many others have seen it.

246. I believe two foreign veterinary surgeons tried the experiment on themselves, did they not?—Yes.

247. Do you remember who they were?—Hertwig of Berlin, with two medical men, I forget their names, but Jacob of Basle also performed the experiment.

248. And they took the disease?—Of course they took the disease.

249. I believe cases are by no means unfrequent in this country?—By no means.

250. Cases in which children and females have suffered from that disease?—Certainly; cases are reported in large quantities. There is not a better established fact in science than that the disease is communicable.

251. Mr. *Thompson.*] What are the symptoms in the human subject?—The symptoms vary, just like the symptoms when the disease is communicated to calves for example. Very often amongst children it produces diarrhœa, and the moment the milk has been stopped and they have been treated, the disease has disappeared. In that way calves and pigs are regularly killed by dysentery and diarrhœa. On the other hand, the form that I have seen it assume usually, especially in adults, has been in irritation of the mouth, soreness of the gums, the individual cannot chew his food, and eruptions on the fingers and extremities. There have been some cases in which the eruptions on the limbs have been very obstinate indeed. I have a very interesting case here observed in London where the evidence was very complete, because the person whose child was affected owned the cow, and the doctor, of course, saw the cow with the foot and mouth disease. In our large towns the disease has been overlooked, not that it does not exist; for example, there is a communication in the "Medical Journal" of last week of a form of contagious impetigo, which I have not the slightest hesitation in saying is the disease. They know what it is, but where it comes from they do not know. The milk passes through various hands, and, in fact, the cases have not been followed out.

252. *Chairman.*] You are aware, I think, that on one occasion, when the disease existed very widely throughout Paris, a very eminent veterinary surgeon, who reported upon it, stated that he had observed no ill effects from the use of the milk?—Yes; but on the other hand, in the first report that was published in this country, under the direction of the Council of the Royal Agri-

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cultural Society, it was noticed that the disease had been communicated to persons, and a very large number of observations were published afterwards by veterinary surgeons. When it first came in everybody was alarmed about it; they then neglected the whole affair, and further observations have only been made recently. I have a number of facts; I can read you no end of them.

253. Do you believe that the disease in this case is communicated by the matter, the pus, that gets into the milk?—By the virus that gets into the milk; that is my impression. There are those who believe that it is the milk; and indeed the milk is liable to speedily undergoing decomposition; it is a strong feature; and near Leeds lately they have had quite an outbreak of the foot and mouth disease among human beings; in fact, it was noticed by the "Leeds Mercury."

254. By Mr. Higgins?—Some other gentlemen had noticed it; Mr. Higgins was one of them.

255. Is the taste and smell of the milk affected at all?—I cannot say it is very different, except you have cases where there are abundance of pus globules and decomposition going on, things I have noticed myself; I have examined the milk, and seen the pus and blood in it.

256. At this moment, would you say that there was a great amount of foot and mouth disease in the dairies in London?—I am not prepared to say that there is a great amount in the dairies in London, for I have not been over them; I have been over some. Where the dairymen are at all cautious they keep it in check; where they are not they lose a great deal of money. They can keep it in check. You can have any amount of evidence on that point.

257. How is it kept in check?—In the first place, if they do not go to market, that is the great secret. In Edinburgh the people avoid the market. I know several dairymen who have kept clear of the foot and mouth disease by going to the railway station and getting them before they touched the market; they take them home and put them by themselves; they see that those animals are milked last, that the person who milks the newly-bought animal does not afterwards go and milk the rest, and that the person washes his hands afterwards. There was a singular case occurred with a large stock of Ayrshire cattle in Perthshire, belonging to the late Duke of Athole; he took his stock from Battersea Park; he never had any such thing with his stock, and the dairymaids there washed their hands every time after milking each animal. The disease was kept from the udders. The animals passed through it very mildly indeed; a number never took it; and, in fact, we checked the thing. You can obtain evidence from London dairymen to the effect that they can, to a great extent, mitigate their losses by simple cleanliness and proper care, and the same can be done everywhere else.

258. Do you think that the flesh of animals is injured by this disease otherwise than by its becoming poorer; otherwise than the diminution of quantity?—The diminution of quantity, in the first place, is very considerable, and the animal with a fever is by no means in a desirable condition to be killed.

259. Is the foot and mouth disease a fever?—It is an eruptive fever. As a rule, I should think you may eat the meat of animals with foot and mouth disease, and not experience evil results from it; but that evil results have followed there is no doubt, consisting of diarrhœa and the consequences that have followed the effect of the milk. It would be very desirable to have the stock slaughtered as free from it as you can possibly get it.

260. Have you anything more to say with reference to the foot and mouth disease?—I am not aware that I have anything very particular.

261. We will go on next to anthrax; will you state generally what is the amount of that disease, and its nature and effects?—Yes.

262. Lord *Naas.*] That is "black leg"?—Black leg comes under that head. With regard to malignant anthrax, it was a disease long looked upon as a continental one.

263. Mr. *Caird.*] Will you give us the familiar name of the disease?—A number of diseases come under that head; for example, braxy is in reality a form of anthrax. Then there is splenic apoplexy and carbuncle, all of which belong to the general class of malignant forms of anthrax.

264. *Chairman.*] What is also called "black quarter"?—Yes.

265. Is this disease, in its various forms, widely prevalent?—Very widely prevalent, but not due to contagion. It is an enzootic disorder; it has not varied very much in amount except according to our systems of feeding.

266. And that is not catching?—You have a poison developed in the flesh, and you get a kind of contagion; but you have not, as with pleuropneumonia and other special plagues, a propagation of the disease over the country by the traffic in diseased animals. The poison, dangerous to man, is more readily developed in hot climates than in our own. Thus braxy sheep are eaten with impunity in Scotland, whereas they cannot be used in the Pyrenees.

267. I believe it is generally admitted by medical men that of all meat of diseased animals, that of animals who have died from anthrax is the most corrupt?—Decidedly.

268. There are, I believe, well attested cases of great injury and loss of life?—No doubt about it.

269. There are instances within your knowledge, are there not?—Decidedly.

270. Can you state any?—There was a case that occurred recently in Fife, where a man died from carbuncle; in that case, by the bye, it was from inoculation; indeed, the cases of malignant pustule that I have seen are cases from inoculation. There are medical men who can speak to the fact of either the inoculation occurring in the mouth or through the digestive system.

271. Can you speak yourself of it?—I can speak of it so far as the lower animals are concerned; pigs and dogs, for example. I have seen cases in man as the result of direct inoculation, and they are far more common than people imagine.

272. Now, we will go to small-pox in sheep; that is a very rare disease in this country, is it not?—Yes. It first broke out when sheep began to be imported in any quantity; but then sheep have only been needed for slaughter, and in that way the disease has been kept down.

273. Does any disease exist in this country at the present time?—I am not aware that it does; I do not believe that it does.

274. What, in your opinion, are the proper methods for preventing it spreading?—The proper method for preventing it spreading in this

Professor *J. Gamgee.*

10 May 1864.

this country is not to allow sheep to be sold as store sheep. They are not needed; and there is no necessity for their coming into the country. In fact, farmers, when they have bought them, have found that they would not do.

275. The disease is highly contagious?—Yes.

276. And infectious?—Yes. That is, the special disease. When I went abroad, the first farm I went to in Holland, I found that they had sent a lot of infected stock to us. That was from Utrecht; and in another place the dealers in connexion with the British trade had gone on the farm and purchased the infected animals, and sent them across.

277. It is the opinion of some persons that the disease is communicated by cattle at a very great distance from each other?—By sheep. There is not the slightest doubt that it is communicated within, say, 400 or 500 yards.

278. How is that ascertained?—I have had cases in my experience abroad. You have stock going up to pasture through one road, another stock going up to another pasture, quite distinct from the other, by another road, and these two roads being, say, within 400 or 500 yards; and the disease has been propagated from farm to farm.

279. I presume that you would take very vigorous precautions against the moving of these animals?—Most decidedly; any animals affected by small pox.

280. To the extent of declaring that district infected?—Decidedly.

281. And taking strong measures?—Quite so.

282. Now, about the scab in sheep?—The scab in sheep, since the extensive travelling of sheep by railway, has become an extremely prevalent malady. Wherever they buy sheep to any extent, if the graziers come to Smithfield to buy a flock of sheep, they must begin to dress them when they get home as a rule, and unfortunately they destroy large numbers by this dressing. They use mercurial ointment.

283. Would you take the same measures to prevent the removal of sheep suffering from this disease, as of cattle suffering from pleuro-pneumonia?—Decidedly; the scab in sheep loudly calls for some interference, for it is so easily prevented and so easily cured.

284. Mr. *Leslie.*] You say it is only discovered after they leave Smithfield?—That is to say, they often catch it in Smithfield from the filthy condition in which the market is kept. They often catch it in the railway trucks, and they often arrive perfectly right; but there are plenty of cases where they do not. For example, I have seen them in plenty of markets very bad indeed. You can buy scabby sheep wherever you like. I know in Edinburgh market I have had them bought repeatedly, and can buy them whenever I choose.

285. *Chairman.*] You were understood to say that a great number of these sheep were killed by the dressing?—Yes, by the mercurial ointment.

286. Mr. *Caird.*] Enormous numbers?—Yes; I quite adhere to that.

287. *Chairman.*] Is that the improper application of the dressing?—Simply that mercury is a rank poison, which should never be used for sheep. They repeat the application, and then the animals die. There is a case in my experience where the farmer was particularly anxious, having his stock of course to dispose of, to keep the thing from getting to the ears of anybody; and I have known that the butcher has been kept on that farm to kill the animals as they died with the application of this mecurial ointment. I have seen the animals, and known the prices realised for them in the London markets, after being poisoned by mercury.

288. You are of opinion that the treatment by mercury is a dangerous and bad one?—Yes, bad for the farmer, bad for the sheep, and bad for the consumer of the mutton.

289. Have you anything to state as to the effect of the meat of scabby sheep that are sold?—No, I have not.

290. You are not aware whether the meat of scabby sheep is or is not unwholesome?—As a rule, the meat of scabby sheep is not unwholesome; it is a parasitic disorder; it is not desirable to kill scabby sheep; we always find that the flesh does not look so well; it is not to the farmer's interest to do so.

291. But you say that great numbers are killed?—Yes, from ineffectual treatment.

292. When so killed, are they, or are they not unwholesome?—If they contain mercury, they are decidedly unwholesome and highly dangerous.

293. But not otherwise?—No.

294. Mr. *Hunt.*] That is for a limited time?—It is difficult to get the mercury out of the system, if it is got in; and the experiments of most physiologists show that it is a most dangerous practice.

295. *Chairman.*] I think you stated that the disease was one very easily dealt with?—Decidedly.

296. How would you deal with it?—I know, from my own experience, that the Scotch shepherds manage it very well indeed, wherever they are expert. They dress them with liquids; they use tobacco and hellebore, and preparations of the distillation of tar; and there are many compounds that can be used.

297. Remedies of that sort are successful, and the remedy of mercurial ointment, you think, is very fatal?—Yes, and the farmer often believes the sheep are cured, when they are not.

298. I suppose no dressing or cooking can get rid of the mercury?—No.

299. Now, with respect to the disease of pigs; I believe they are the most fatal and malignant of all diseases in their effect on the human frame?—The parasitic diseases of pigs are.

300. Will you be good enough to describe the various diseases from which pigs suffer?—There are three; the one that we know most of, and which has been best attended to in some parts, is the so-called measles of the pig, in which, in fact, the head of the human tapeworm is preserved in a cyst, and it is well known as cysticercus. By eating the pork underdone in any way, or raw, this head fixes itself in the intestine, and the tapeworm grows; and every tapeworm in human intestines is the direct result of eating unwholesome food of some sort.

301. And a great deal of disease is propagated, in your opinion, in that manner?—A very large amount; I have striven, in fact, to come to some notion as to the amount. You can obtain much evidence as to the prevalence of the tapeworm, especially in the manufacturing districts of the country, where they use large quantities of pork, especially of Irish pork. No doubt the English piggeries are free from measles, and so are the Scotch piggeries, to a great extent; but the Irish

piggeries

piggeries are those that suffer; and the poor stock-owners of Ireland suffer very much from the disease, because they do not know its nature. It is a very simple disease to prevent, just like the human tapeworm.

302. Is it a contagious disease?—No, it is not communicated from one diseased animal to another; but unfortunately it communicates a special disease to man.

303. That is when it is consumed?—Yes.

304. Are there any other diseases from which pigs suffer?—Then you have the hydatid disease, which is not restricted to pigs; you have it among sheep.

305. How would you define the hydatid disease?—You have a cystic parasite, called echinococus, lodged in the internal organs usually; in the liver, or in the lung; sometimes appended to the heart; very often about the kidneys; and those hydatids are found in man as well as in the lower animals. You can obtain evidence upon this point, that there is a direct connexion between the consumption of diseased meat—partially cooked meat—and the development of these hydatids in man.

306. Does not the process of cooking, and the high temperature at which the meat is cooked, destroy these parasitic animals?—If you bring a very high temperature to bear on the parasite you undoubtedly destroy it; but the difficulty is in proper cooking. There is a far more prevalent practice than any one would imagine of eating underdone meat, and even raw meat, a sort of craving for raw provisions; and of course raw food is very bad. But in cooking hastily, for example, the outer surface of the meat becomes coagulated, and the inner part is never raised to a sufficiently high temperature to destroy the parasite.

307. And in that case you think that these animals would still retain life?—Yes.

308. There is no doubt, I believe, that there is an immense amount of loss arising from the parasitic disease in pigs?—Yes; there is no parasitic disease which deserves more anxious inquiry than trichinous disease—the flesh worm malady; it is extremely prevalent in man; and no doubt we derive it from the lower animals.

309. Which animals?—Pigs generally.

310. Mr. *Caird.*] From pigs solely?—I cannot say solely. For example, we are giving the disease to rabbits and to sheep, to see whether we can induce it, and we can as readily as possible.

311. Mr. *Holland.*] Pigs have the foot and mouth disease, do they not?—Yes.

312. *Chairman.*] How does the live animal show trichinous disease?—Unfortunately, there are not very often very apparent symptoms. That is to say, a moderate proportion of trichinæ can be taken in, and the animal looks very fat, and plump, and all right, and unless you examine the animal microscopically, you cannot tell that it is diseased. We see a certain number of cases where we induce a disease artificially. If the trichinæ are introduced in large amount, the animal dies within 24 hours. If, on the contrary, the amount is just large enough to do some mischief, and not enough to kill, you have a low kind of fever, very similar to typhoid; rheumatic pains in the limbs, and general sickness. These symptoms may disappear when the parasite remains in the flesh, shut up, and encysted; and does no harm until the animal containing it dies.

313. Have you, in examining markets, found very considerable quantities of diseased pigs sold?—Very large quantities: and I may mention that especially in Ireland persons are pretty well aware what they are buying; and they claim a reduction on all the pigs that are found measly. I got the per-centage of measles from Belfast, Cork, and Waterford. I believe it is very easily got under control.

Professor *J. Gamgee*
10 May 1864.

314. In your report there are these words: "My personal experience of dead meat markets is most unsatisfactory. In Edinburgh between 100 and 200 diseased cattle are sold every week in the dead meat market. Cargoes of diseased animals are smuggled into it by night, conveyed sometimes from piggeries adjoining the towns, covered with the healthy carcases of sheep, and openly or by subterfuge there is an enormous traffic of this kind." Are you prepared to maintain the accuracy of that statement?—I am, quite, without any qualification.

315. What is your opinion as to the best mode of disposing of animals that have been condemned as unfit for human food?—I should not allow them to pass out without being destroyed. I believe Dr. Letheby's plan is the best of dressing them over with carbolic acid, thoroughly preventing the chances of their being used as human food, and then sent to some manure establishment where the different parts of the animal can be best made use of. By all means suppress the piggeries; we have somewhere about 600 and 700 pigs near Edinburgh, and in another establishment not so many, and they are fed on the diseased animals, and on the entrails of the diseased animals; you cannot devise a better system for the propagation of parasitic disorders.

316. Than by selling diseased animals to the piggeries for consumption?—Yes, especially where the entrails are used.

317. By what means could the piggeries be suppressed?—Piggeries have been suppressed in large towns, and it might be stated that it is not lawful to feed pigs on the flesh of diseased animals.

318. You mean they have been suppressed as interfering with the public health?—Decidedly.

319. Do you mean that they have been suppressed in towns as nuisances, interfering with the public health?—Quite so.

320. But there has been no interference with the manner in which they were conducted, provided they were in places where they did not interfere with the public health?—Clearly.

321. Would you suggest any interference with them?—Decidedly; Mind I am referring to the use of the entrails of healthy animals also, for it is very difficult to get a healthy animal without some parasite or another in its body. In Ireland they say that there is not a pig without its measle, but of course when you come to a single cystic parasite, it is a very small matter. It is very difficult to get the internal organs of any animal perfectly free from parasites, and it is therefore desirable to insist that any flesh given to pigs should be cooked, and that it should be mixed with a given quantity of vegetable matter.

322. Then you would prevent the use in piggeries of all raw meat?—Of all raw meat, whatever it might be; I have traced in these pigs, on various occasions, a large amount of disease, and I have known seven or eight pigs killed outright by eating portions of a diseased animal. These pigs are sent to the slaughterhouses, and consumed

Professor J. Gamgee. 10 May 1864.

sumed as human food. In addition to that there is not the slightest doubt that pigs themselves, although they are not apparently very diseased, are absolutely in an unhealthy condition. It is found that if sows fed upon this meat are bred from, that the piglings die shortly after. The practice I know to be this, that if a pig does die, the others devour it, or the animal is boiled down.

323. Have you anything further to state?—I am not aware that I have.

324. Lord *Naas.*] With regard to pleuro-pneumonia, do you think generally that pleuro-pneumonia exists in as violent a form as it did when it made its first appearance in this country?—I think that we have a large number of farmers on the alert as to its existence, and that there are many places where it is kept away by the intelligence of the persons who protect themselves; but if I take the general grazing districts, and the districts where much stock is bought, there has been no diminution.

325. Though there may have been no diminution in the number of cases, do you think that there is any diminution in the force of the disease?—None whatever. I have had several outbreaks lately; in one of them eight animals out of 11 were killed in eight weeks; in another one I have known 24 animals out of 30 killed in two months; in a third one I have had somewhere about 15 animals out of a stock of 30 within one month; in a fourth I had as many as five cases breaking out in one day, and 15 animals dead in three weeks: indeed, I may mention that I have particularly written to a number of veterinary surgeons and others, although I am sorry to say that veterinary surgeons have not their eyes upon this disease, because they are not consulted upon them, and many outbreaks are never heard of, so that rumours of the disease are often below the truth. Whenever veterinary surgeons have outbreaks to manage, they say wherever the disease appears it is as bad as ever it was.

326. Then you think that the difficulty of cure is as great now as when the disease appeared first?—I think, under all circumstances, such a disease as pleuro-pneumonia, small-pox in sheep, or any such disorder, must be treated by prevention rather than by attempting the cure of the disease. We need not have the diseased animals; there is no necessity for it.

327. Do you conceive, then, that pleuro-pneumonia is always and invariably given by contagion?—It can be produced by no other means; it is precisely the same as with small-pox in man.

328. The idea that was prevalent at one time that pleuro-pneumonia was to a certain extent an epidemic you think is fallacious?—Thoroughly. How is it, for example, in regard to a county, that you have a district where the disease never disappears, and you have an immediately adjoining district where the disease never exists except an animal is brought from the other one?—I will give you Lanarkshire, parts of Renfrewshire and Perthshire. Take the breeding districts and the breeding farms, wherever they are interspersed among the grazing farms, the breeding farm is perfectly free; so that, if the atmosphere induced it, you would not imagine that it would pass over the breeding farms and attack the others.

329. You think if a man could start with a large farm, breed his own cattle, and cut off all communication with the outer world, he would be perfectly safe from pleuro-pneumonia?—Decidedly. I know of stocks, and this happens with regard to other contagious diseases, where the owner has never bought stock, never seen diseased stock near his farm, and he does not know how it got there, but it appears. I had a very remarkable case related to me in County Cork, where one of the shorthorn breeders had the disease appear. He bred the shorthorns like other shorthorns in the country, kept them under close quarantine. Messrs. Cruickshank go the length of buying the nursing cows and keeping them in quarantine two months. Well, this gentleman in Cork had his shorthorned stock under the same conditions that we have other shorthorned stocks in the country, and one day he had pleuro-pneumonia. He made long inquiries, and it was sometime before he ascertained that a person travelling with some cows across the country had, during the night, for the sake of avoiding lodging at an inn, or some other place, turned his cattle on a park close by the stock of this proprietor. Almost before daybreak those cattle were removed, and nobody knew they had been there until after inquiry it was ascertained. In that way, by stealth, by accident, from diseased cattle travelling along the road, we often have the communication of the disorder.

330. Do you think that pleuro-pneumonia is generally communicated by touch, or inhaling the breath of the diseased animal?—By inhaling the breath as a rule.

331. Will touch do it?—I think it will. I have known a remarkable outbreak occur from a person, who had the lung disease amongst his stock, lending a manure-cart to a friend, and in this manure-cart turnips were carried to the cattle and the disease spread. The feeling of scientific men generally is, that if you get the excrement of diseased animals that is quite sufficient, occasionally, but not generally to cause the spread of the disorder.

332. Then your general impression is that the disorder is most prevalent where there is the most common and constant interchange and travelling of stock?—Decidedly, and my opinion is participated in by all the veterinary surgeons in the country that are paying any attention to the matter, and with whom I have been constantly in communication.

333. With regard to cure; you say you think that the disease is better known now, and that the cure is possible?—The prevention is possible.

334. I understood you to say that you thought that animals afflicted with the disease are cured?—Sometimes they are cured.

335. You said that if you had 100 diseased cows, 50 among them would be cured?—Not 100 cows; 100 animals of all kinds. Generally, we should have 50 per cent. recover.

336. Horned cattle?—Yes.

337. How long, do you think, on an average, the process of cure would take?—It varies.

338. I mean an animal that you have actually discovered is afflicted with pleuro-pneumonia. How long has it generally taken?—Sometimes only three or four days, at other times as many weeks. I do not think it is very desirable to keep them on three or four weeks; they get very much reduced, and the chances are they will not live. Three or four weeks is by no means unusual; but when you get them, as you often do, in a hectic condition, they ultimately will die usually.

Many

Professor *J. Gamgee.*

10 May 1864.

Many recover, but they recover in very bad condition.

339. Then where you are consulted as to the cure of those animals, do you generally recommend the attempt to cure them, or to get rid of them as soon as possible?—I always aim at arresting the disease. I look on the loss of the first animals as of very little importance indeed. If we had our eyes on the outbreaks in this country wherever there is a case of pleuro-pneumonia, the loss would be very trifling indeed. My first concern is to protect the healthy stock; then with respect to the diseased animals, I myself usually recommend them to be segregated and to be kept on. Occasionally in the period of incubation, when I have had reason to suspect, for example, if there are 20 fat animals, and three or four of them have been diseased, that show no sign of disease, and perhaps on auscultation I can trace evidence of disease, I have recommended those animals to be forthwith destroyed.

340. Even though they might present no outward appearance of disease?—Yes; and I think that is the proper stage at which to kill them.

341. Is it easy to distinguish pleuro-pneumonia from other diseases by auscultation, in the very early stage of the disease?—Decidedly.

342. How is that done; because there are other diseases, colds, and inflammatory attacks that may not be real pleuro-pneumonia, but still may affect the lungs, is it possible in the earlier stages to detect the difference between those diseases and pleuro-pneumonia?—As a rule, in the very earliest stage you can, and even without very much auscultation. If there are any symptoms whatever, and the animal is at all unwell, if you move that animal you immediately hear a distinct grunt; it may be very slight, but if you put your ear to the trachea, there is a slight grunt, and that grunt indicates the nature of the disease. Couple that with the history of the case, and your diagnosis is complete, and without great efforts at auscultation even.

343. Do you think that could be done by persons who are not very skilled and very much practised in the consideration of these questions?—I know that it is constantly done by people who are buying stock. For example, butchers know a diseased cow quick enough, and take precious good care not to pay too much for it. Such men often do know the disease very well. I think though that in proportion as you have persons properly educated, so will their power of diagnosing the disease be greater.

344. You think there is no very great difficulty in discovering the incipient stage of pleuro-pneumonia?—Certainly not; I do not think there is.

345. Have you seen many animals killed in the early stages of it?—I have.

346. How many?—I never kept a record of how many, but many hundreds.

347. Sufficient to enable you to form an opinion?—Yes.

348. Suppose an animal to be killed in the early stage that you describe, when the disease can only be discovered by auscultation and by minute investigation, what state would the meat be in then?—Very often in a very fair condition; not as good as sound meat, but very good. I may mention that I am entirely in favour (if you are not by that means giving a loophole for an unlimited amount of diseased meat being sold) of the earliest stock in the finest condition being forthwith sold, and, if you like, sold as human food. I do not believe that it will do any mischief, but only in that early stage, and I would not travel on to the slaughterhouses, I would kill it there and then.

349. But suppose this animal were found in this state upon a farm remote from a larger town or a market, could it be killed with any advantage to the owner?—Of course it could.

350. Suppose there is nobody to buy it?—He then sends the meat to a dead meat market.

351. You would propose that the farmer should be obliged to kill it on his farm, and send it in a dead state to the market?—Yes; and send it with a certificate of a veterinary surgeon, giving the history of the case.

352. Do you think that if you were to see a quarter of beef hanging up in the market of a perfectly healthy animal, and another from an animal in the incipient stages of pleuro-pneumonia, that you could detect the difference?—Very often not. That is why a larger quantity of diseased meat goes into the houses of the rich than anybody would ever suppose, and in the most malignant forms. For instance, in splenic apoplexy the flesh looks beautiful, and no more poisonous material can enter a house. From a mere inspection of the meat, without a proper inspection of the animal before death, you cannot, in many instances, tell what the nature of the meat is, and whether it will kill or fatten.

353. Can you give the Committee any instances of meat that looked perfectly good and wholesome having been injurious?—Yes, decidedly. A case occurred a short time ago in Haddingtonshire, where a bullock was killed in the last stage of disease and put in a hamper.

354. What disease?—Splenic apoplexy. That animal was sent away to market. Pigs received the entrails of that animal, and every animal that touched it died.

355. Had that animal been given any medicine?—No, nothing at all.

356. My question referred to the meat, and not to the entrails?—I know of no distinction between the entrails and the meat; if the internal organs of an animal will kill, you may depend upon it the meat will.

357. Do you think that the meat of that animal would also have killed the pigs if they had eat it?—Yes; and I believe it would kill human beings. I have not the slightest doubt that it has killed human beings.

358. Do you know of an instance?—No; simply because it is impossible to trace them. There is not a sufficient line of demarcation between the effect of eating meat, affected with splenic apoplexy, and a fever: say, a man who died from the effects of eating the meat of splenic apoplexy, would die with all the symptoms of a typhus.

359. You do not know of any instance of meat of the nature which you have been describing, looking well, but still poisonous, having been injurious to human beings?—It is a matter of science, a well-known fact.

360. *Chairman.*] There was Dr. Keith's case, at Aberdeen?—Yes; it is getting very prevalent unfortunately; and it can be prevented like the other diseases. I know of no instance where an outbreak of splenic apoplexy has occurred, but what on the appearance of the first case, by properly exercising the cattle, stopping their

Professor *J. Gamgee.*

10 May 1864.

their nutriment, and purging them, the disease was not immediately checked.

361. Lord *Naas.*] You think on the whole, taking animals as affected with pleuro-pneumonia, that slaughtering them is the safest and best way of dealing with them; you would not in general propose any attempt at cure, not only for the stock-owner himself, but also for the sake of the public, in preventing the spread of the disease?—No, for the sake of the country; I think the most stringent regulations that will check the traffic in diseased animals are the best; because you there have a healthy system of preventive measures developed, and a system which is quite adequate to the difficulties of the case. You can meet all the loss by insurance; I believe that the loss would be trifling or *nil* compared to what it is; if every farmer on the appearance of pleuro-pneumonia was condemned to bury the first carcass, skin and all; if that were done and preventive measures were adopted on each outbreak, that the loss would be *nil* compared to what it is now; and that loss you can readily cover by insurance, as has been repeatedly done abroad. In Holland they have associations; in the one case they carry out preventive measures to keep pleuro-pneumonia in check, and in the other they do not. One company has gone the way of others, bankrupt; but the other one is thriving.

362. If you say that pleuro-pneumonia exists in a latent state, very often for a month or six weeks, or even more, 40 days; how is it possible that the slaughtering and burying the first beast that appears infected would stop it when, perhaps, that one may have infected the whole herd?—The whole infected herd could be protected. I never had such a thing as a case occur (at least only once in my experience) of an animal being seized with pleuro-pneumonia the third week after I have been on a farm.

363. How is that done?—We do it by the method I mentioned—separation, tonics, and inoculation; and I am ready to do it at any time.

364. Would you undertake to say if you are called in, after the first case of pleuro-pneumonia appears in a form that, if the owner of the cattle follows your advice, he is pretty nearly sure to escape from any further contagion?—He is practically certain of it; not the slightest doubt. I can furnish the Committee with any amount of evidence on that point. I can say no more than what comes under my observation.

365. Mr. *Cox.*] Then, I suppose, the farmers like the disease, or else they would get rid of it?—No: this is what I can state, that farmers have not yet that faith in what can be done by preventive measures in this country that they ought to have; and, in fact, I myself have repeatedly written to farmers where I know that the disease has been prevailing to a frightful extent. They say, "oh, well, the fact of the matter is, that if we have a diseased animal, the best thing is to get the largest amount of salvage at once, and adopt none of the preventive measures." I have repeatedly been met by the butcher, and at an outbreak they have preferred the butcher's services to mine. That constantly happens, unless you bring them into the way of not selling their diseased animals, they will not adopt preventive measures.

366. Lord *Naas.*] Then you think that by precautions, such as separation, medicine, and other means, you can, in any herd of cattle in the country, stop the spread of pleuro-pneumonia?—Decidedly; if, for example, you have a very exceptional outbreak, such as perhaps you might have once in a hundred or once in two hundred times, the disease might proceed to a certain extent, but you are sure to save a large number.

367. Does your information lead you to believe that there is more cattle affected with disease, both pleuro-pneumonia, and foot and mouth disease, that are imported from Scotland and Ireland in steamers, than are moved about in the railways from different parts of the country?—No, I do not think that at all, I think probably they more commonly travel by road and rail than by steamers.

368. Do you think that any measures of precaution that are taken with regard to steamers ought also to be taken with regard to railways?—Decidedly.

369. You think that there is no difference between the two cases?—None whatever, according to my knowledge of the matter.

370. And it is a thing as likely to be spread by cattle removed from Yorkshire to Liverpool, as from Dublin to Liverpool?—Decidedly; I have very satisfactory evidence on that point, that the Scotch stock brought to the South of England is not much better, if any better, than the Irish stock taken into Yorkshire, and the same with England. It is English stock that take the disease north; English calves for example.

371. I presume when cattle are in transit, whether by steamboat or by rail, the longer they are on the road the more likely they are to take the disease?—If they are in contact with any diseased animals.

372. But I mean, generally speaking, rapid travelling would to a certain extent be a preventive of the disease?—No, I believe rapid railway travelling is one of the most potent causes of disease throughout Europe; one of the most active causes in propagating the disease.

373. I do not mean the actual pace at which the train goes, but leaving cattle, for instance, standing about in railway trucks is to a certain extent the means of propagating the disease, is it not, because they are more likely to be put in contact with others?—No doubt.

374. Mr. *Hunt.*] They are more likely to take it when they have no food?—If you lower the system in any way, you render the animals more susceptible to any poison that comes in contact with it, and you, of course, weaken the constitution.

375. Lord *Naas.*] Do you think that the remarks which you have made as to pleuro-pneumonia, and to its contagious nature, apply also to the foot and mouth disease?—Most decidedly.

376. Do you think it is not in any way an epidemic?—No. I may mention to you that there are many more outbreaks of the foot and mouth disease that are not directly accounted for by contagion than there are with regard to pleuro-pneumonia, and for this reason, that animals of all kinds carry the foot and mouth disease; and moreover there is, perhaps, no contagious plague in which the amount of poison thrown out by a diseased animal is so large; there are gallons of poison, and the quantity of the poison, as well as the readiness with which it is carried by all kinds of animals, tends to its spread under very singular circumstances. I have known a farm where the foot and mouth disease existed, and all the animals suffering to have been at the distance of three or four miles from another farm, and from this

Professor J. Gamgee. 10 May 1864.

this infected farm grass, which was cut in some fields where the diseased cattle were not, was carried to the healthy stock on another farm, and gave them the foot and mouth disease. In that case the grass had not been fed on by the diseased animals; and we know perfectly well that hares, pheasants, and rabbits will take the disease as rapidly as a pig will, and in that way we have very insidious outbreaks.

377. Do you know of no instance in which there has been an outbreak of the foot and mouth disease that could be fairly traceable to the presence of some infected animal or some infected food?—I know plenty of cases of pleuro-pneumonia, and every other disease, that have been attributed by individuals to atmospheric agency; but when we come to study the special distribution of the disorder, and when we come to study the rule in these outbreaks, and how they appear, we ascertain in what channels and under what circumstances they occur. Even with regard to small-pox in man, plenty of cases have occurred where nobody would make out a case of contagion; but it is perfectly evident, if you ask the most accomplished medical man in the country, that there never was a case of small-pox in this country which did not occur as the result of contagion.

378. You think the foot and mouth disease is more easily propagated by contagion than by any other means?—No doubt.

379. With regard to cure; does it take long to cure the foot and mouth disease under proper treatment?—No, not at all.

380. You said, I think, seven days?—Even less; and after all, proper precautions taken at once are of the greatest advantage. Travelling stock is the worst possible thing; for instance, for sheep nothing can be more destructive; many instances have occurred where sheep have been killed by this.

381. You have said that you think you would be justified in stopping cattle that were discovered with the foot and mouth disease, and put them in some place where they should remain until cured; do you think that would be possible?—In many instances it would.

382. In what instances would it be possible?—I have had instances myself. For example, a cattle dealer has a lot of stock exposed in to-day's market; he keeps on that stock till another week; as a rule, nothing is done for those animals; I have many of them under my own observation; those animals are kept on until next week without the slightest treatment, and next week they are brought into the market again. There you have an instance, where, if the individual had used proper precautions, he might have lost one market, but he would not have lost the second.

383. That applies to cattle that are brought to be sold in one particular market, and are kept till the next market-day; but supposing the case of cattle that are on their way from one market to another, or from the place where the owner lives to the market, do you think that it would be possible to stop them, and cure them?—There are circumstances under which it can be done, there is not the slightest doubt about that; if you take the loss that the owner incurs, and that is incurred by the country, the less loss would be by at once attending to the animals than allowing them to go on.

384. Do you not think that in many cases such a stoppage as that, taking the cattle out of the railway train, placing them under a veterinary surgeon, and keeping them till they were cured, would be very nearly equivalent to forfeiture of the animals?—No, I do not think so. In fact, with regard to sheep, where the disease is not very malignant, a week is quite enough to put them straight. You may have five per cent. not right at the end of the week, but certainly not more.

385. The owner suffers great loss from the depreciation of price in the first instance "always"?—He is sure to suffer that.

386. You cannot guard him against that?—I believe that he will lose less.

387. Then he suffers considerably, if your plan is adopted, by the detention of the cattle, the cost of cure, and the cost of food; and he suffers additionally from the fact that he will be able to sell his cattle at a very diminished price, because they will be put aside and treated as diseased cattle; so that, putting all those losses together, it will very nearly amount to the loss of 75 per cent.?—Not at all.

388. Will you show me how it can be avoided?—The stock would come in, say yesterday morning, into the market here.

389. I am not talking of cattle that are sent to be sold at a particular market; but of cattle that are stopped *in transitu*, cattle arriving at Holyhead, for instance, or moving from Holyhead to Manchester, or, having failed in the Manchester market, moving on to Birmingham market?—I believe if you stop the cattle wherever they are to be stopped, there would very soon be a system by which there would be less loss in those animals than if they went on. Everything would adapt itself to circumstances. Of course, I am not saying that where you have thousands of animals rushing into a port, which you never have; but having a solitary stock, rather than let it go on to affect the lot, I have no doubt that it would be perfectly easy to watch those animals at the port, for one dealer to hand them over to another. They would be carried on, and they would go into the market, and there would be less loss on that stock than if it went on; I am sure there would be. For example, with regard to a lot of pigs sent over from Ireland with the foot and mouth disease; if those animals were allowed to go on to Birmingham, by the time you got them to Birmingham, the loss on them amounts to 50 per cent. in value.

390. You think, on the whole, that you would be justified in taking that course, both for the good of the public and for the benefit of the owner?—Decidedly.

391. Now, with regard, for instance, to sheep driven in, as they are, in thousands and thousands to such fairs as Falkirk, in Scotland, or Ballinasloe, in Ireland, do you think that you would be justified in stopping persons outside those fairs, and stopping all sheep that were affected with the foot and mouth disease, and turning them back?—But it so happens that in those fairs——

392. Will you answer that first?—Yes, I think so, because the amount of sheep affected with the foot and mouth disease before the fairs is not large. The amount afterwards is large. It is extremely trifling before the fairs. I have constantly noticed that, and followed them repeatedly, and watched them round the markets. That is a very important fact. You have, in our markets, a separation between cattle and pigs; sheep are as liable to the disease as cattle. If you go near

Professor *J. Gamgee.* 10 May 1864.

the Falkirk Tryst, or on the occasion of All-hallow's Fair, you see flocks going in, and you will see a certain number lame, but the proportion is very small.

393. Will you go so far as to say that you would prohibit the entry into these large fairs of any lame sheep?—No, certainly not.

394. Then what precautions would you suggest with regard to those large fairs?—I think this: if you have a lot of sheep with the foot and mouth disease, I know, if you dress those flocks of sheep to-day, or to-morrow, or the day after, they really will not be in a condition to infect the other stock.

395. Would you suggest that all those flocks, where there were any lame sheep amongst them, should be stopped and dressed?—Yes.

396. You would suggest that as a precaution?—Yes, decidedly, and it would check it.

397. Mr. *Leslie.*] Where are they to be fed in the meanwhile?—They are constantly fed. That is a provision already made by the natural order of things.

398. Lord *Naas.*] With regard to those animals that had left the fair; you say there is an outbreak, generally, of this disease after the larger fairs?—Yes.

399. Would you take, as the Bill proposes, power to stop these animals on their way home, and treat them medically?—I do not think it would be a very great hardship; I think it would be a very great good for the farmer if it were to be done, wherever they are seen with that disease, if merely washing their feet will in any way protect them, and the other stock; there is no great hardship in doing that.

400. And you think it can be done?—Yes, of course it can be done; it is done.

401. You think that you could provide machinery, inspectors, officers, and persons on whom this duty could be thrown?—To a considerable extent; and you can exercise a sort of supervision over the people, that they should not be as reckless as they are now.

402. Take the case of Ballinasloe fair, where a number of sheep travel in, varying from 50,000 to 70,000, can you, by any means, provide anything like sufficient inspection for that enormous number before they enter the fair?—You could not inspect them all round the country.

403. But as they come in?—Decidedly you might; it is very easy to see a flock that has the foot and mouth disease. A good sharp man upon a horse would see it all; at all events, with a certain number of able officers, you would very soon do it. If you take such a fair as Ballinasloe, you will not find a larger number of animals affected with that disease going into it. You will not find an unmanageable proportion.

404. I conceive that varies very much according to the year; some years it is more prevalent than others?—Of course; with regard to Ireland, I look on Ireland as more sinned against than a sinner in this case. I do not look on it in the light that many people do; I think that the Irish stockowner could be largely aided by a little bit of attention to these matters. In Ireland, the disease is taken into Dublin with a lot of calves, 99 times out of 100; the calves from England take it into Dublin, and it spreads all over the country; so that if there are any restrictions upon the Irish cattle at Liverpool, there would be equal restrictions upon the English cattle at Dublin; and I think it would be very easily managed to prevent the system by which healthy calves could be supplied to Ireland; the necessity of the trade to be supplied, somewhat differently to what it is now, saving Ireland thousands of pounds annually.

405. Are you not aware that the calves which form that very large number that are imported in the way you describe are notoriously excessively unhealthy, from other causes besides pleuro-pneumonia, and foot and mouth disease?—Yes; but there is only one other cause that destroys an enormous number, enzootic dysentery, the dysentery of the young animal. And why? These poor animals are shipped from Liverpool to Dublin; they there fill them in the morning with a lot of cold milk, to fill them out: I have seen it done repeatedly; then they perhaps get another dose in the middle of the day; they are starved for many hours: they have no gastric juice to digest this milk; it decomposes on their stomach, and then they have what is commonly called a white scour, and they die. White scour forms no exception to all the other diseases in the way of prevention; and I am perfectly ready to show you that you can get information on that matter.

406. That is not a matter which any police regulations can affect in any way. It is also the case that these calves, which are brought in such large numbers, are delicate from having been the offspring of cows that have been kept to a very great extent in an artificial state?—No, I do not agree with that at all.

407. And also are less healthy than animals that would have been kept in the ordinary way that a farmer keeps them?—I do not admit that they are animals with weak constitutions at all. I think that they are the finest in the world; but they come from such diseased centres as Manchester and Rochdale, and it is the system of management in transit that destroys them, and the system of management at the other end. I have letters from medical men in Ireland as to the cruelty practised upon those poor calves, and from County Cork and various other counties.

408. In the case of the diseases denominated anthrax diseases, you would apply the same regulations to them as you would to cattle affected by foot and mouth disease or pleuro-pneumonia?—I would take every possible means to secure that the people prevented the disease; you would have specially to exclude certain disorders.

409. I only want to ask this question: the precautions taken in these diseases are merely to prevent the meat from being sold?—Yes.

410. There is no necessity to take any precautions with regard to contagion?—I do not think so.

411. Are there any other diseases to which cattle are subject, except the foot and mouth disease and pleuro-pneumonia, in whichyou think it necessary to take precautions against contagion; I mean horned cattle?—Yes, the contagious typhus, the Russian plague.

412. Have we ever had the Russian plague?—Yes, we had it last century, and we shall have it again unless we adopt proper precautions; we have now been saved by Austria and Prussia. There is a steam navigation being established probably from the Baltic.

413. These precautions are not necessary at present as between the various towns of the United Kingdom, and different parts of the country?—The disease is not here now, and you can

can keep it out just as you can the pleuro-pneumonia, to any amount.

414. Do you not think, apart from the question of contagion, that very great advantage might be derived by making the regulations with regard to the sale and exposure of diseased meat much more stringent than they are now?—You would do a very great deal of good by it, by making the laws very strict with regard to the sale of diseased meat.

415. Do you think that those laws ought to be altered?—I think that the system of inspection in this country is very bad. It is only where you get a very energetic man like Dr. Letheby, in the City of London, that much good is accomplished.

416. Mr. *Cox.*] He is not an inspector?—He has the control of the inspectors.

417. Lord *Naas.*] You have principally attributed the great evils that occur in Edinburgh rather to the inability or unwillingness of the official gentlemen there to do their duty?—The system of inspection is perfectly rotten; that is the secret of the whole affair. They do not see disease, and they do not search for it.

418. Do you think it would be quite possible that a very strict and stringent inspection might be made of dead meat, when exposed as human food, to prevent almost all food that would be injurious to human life from being used?—I think that a great deal can be done, especially if you have your eyes on the slaughterhouses, and see the animals as they go in, and have a proper preventive system over the country, so as to check the amount of disease; and you then get it under control.

419. I suppose those measures with regard to live stock would be taken more with the object of preventing contagion than of preventing the use of diseased meat?—Clearly; but you can combine the two.

420. It would be perfectly possible to separate the two, and by stringent precautions to prevent any quantity of diseased meat being used?—No. If you take the meat inspection alone, I hold that without the prevention of disease it is impossible to check the traffic; it is so enormous that it is quite unmanageable. With regard to Edinburgh, people have no notion usually how extensively the traffic goes on, when people would least expect it, because we have a public slaughterhouse there, and they think there can be no diseased meat; but I repeat that there is not a city in the United Kingdom where the traffic in diseased meat is carried on better than at Edinburgh, and where it realises the same sum of money.

421. You do not say that you would prohibit the sale for human food of a great deal of the meat of cattle infected with the disease in the first stage?—I should certainly prohibit the sale of every carcase of an animal that had died of pleuro-pneumonia, unless that animal had been seen during life, and there was a proper certificate to state that it was an early stage.

422. There might be great difference of opinion; you will find gentlemen in your profession have a great difference of opinion as to what the particular stage of pleuro-pneumonia is which renders the meat unfit for food; I mean before the animal is killed?—Yes.

423. You may easily find it out after the animal is dead; but before the animal is killed do you think it is possible to say distinctly, before you see the meat, whether the animal is or is not fit for food?—No; you must combine the two systems; the seeing the animal before death and after death. I do not wish, in fact, to give any more importance to the one section of the work than the other. Hitherto the thing has been to look at the meat as slaughtered, and that has been a bad system.

424. Mr. *Thompson.*] Supposing, on a railway journey, you were to delay the cattle for the purpose of removing them from the trucks to give them water, or for any other purpose, do you not conceive that that would add to the chance of infection?—Of course, it depends entirely on where you are doing it. If you had stock of all kinds coming together I think it would.

425. Lord *Naas.*] Referring to one question I asked you with regard to prohibiting stock from entering these large fairs, would it be possible to support any large number of stock in the neighbourhood of a large fair?—If you are adopting the proper preventive measures in the country, you will not have an enormous amount of stock. It does not occur abroad. They have these things perfectly under control.

426. Take, for instance, Ballinasloe or Falkirk fair; suppose you find it necessary to prohibit the entrance of 5,000 sheep into these fairs, under your proposition, within three miles of the town, how would you feed them?—For the length of time they would have to be fed, I would easily feed them, because in the majority of cases they would not require to be kept very long on the road.

427. Mr. *Thompson.*] They would not be sent in if there was such a regulation?—Of course not.

428. Mr. *Caird.*] In pursuance of that question of Lord Naas, I think you stated that if it was found necessary to examine diseased sheep, for instance, coming into such a fair as Ballinasloe, it would be necessary to dress them, in order to prevent the spread of the disease?—Yes, I think it would be right to do so.

429. And to detain them for a certain time?—Yes.

430. Suppose you found that that disease had broken out amongst 80,000 sheep, where could you detain them and support them alive during the time that you proposed to keep them in quarantine?—I think we cannot deal with exceptional instances. I never saw such a case as 80,000 sheep affected with the foot and mouth disease going near any such fairs.

431. You say, when you found the disease breaking out amongst a large quantity of stock in a fair, to prevent the spread of the disease, it would be necessary to dress the whole of the stock that were there?—Yes; in 999 cases out of 1,000 it is perfectly practicable to do so.

432. What would you do with that stock in the meantime, whilst you held it in quarantine, to prevent it carrying the disease somewhere else?—I say you need not keep it in quarantine; you can try that by experiment; it is very easily tried.

433. Lord *Naas.*] With regard to Holland, you say that pleuro-pneumonia is very prevalent there?—Yes.

434. Does that arise in any way from the special mode in which the cattle are kept?—Not at all; it arises from the same causes that it arises from here. Holland was free before our trade was established. When it was breeding and exporting

Professor *J. Gamgee.*
10 May 1864.

to the Rhine, against the current of the disease, it had no disease, but the moment it had to import to supply us, and export westward, there was a regular transit there, and disease appeared. In Holland, if they did not take preventive measures, such as they are taking now, the cattle would be destroyed.

435. Is not the housing of cattle generally more common in Holland than in this country?—I have seen the most beautiful dairies in Holland, where if health could be preserved, you would say it would be preserved there.

436. Still they keep cattle there more in houses, than in this country?—In some parts of course.

Veneris, 13° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. Bruce	Mr. Thompson.
Mr. Hodgkinson.	Mr. Alderman Salomons.
Mr. Hunt.	Mr. Algernon Egerton.
Sir Thomas Burke.	Mr. Cox.
Mr. Beecroft.	Mr. Leader.
Mr. Caird.	Lord Naas.
Mr. Holland.	Colonel Barttelot.

THE HON. H. A. BRUCE, IN THE CHAIR.

Professor JOHN GAMGEE, recalled; and further Examined.

Professor *J. Gamgee.*
13 May 1864.

437. Mr. *Caird.*] ON the last day of the meeting of the Committee, you stated that a certain number of cattle had died annually from disease. I have not the evidence before me, and I cannot refer to the precise question, but I should like to know on what data you arrived at the number of diseases annually, which you stated?—I believe I stated that I obtained them from the insurance offices, to a great extent, as well as from personal investigation.

438. Did you not limit your knowledge to the returns made by certain insurance companies in Scotland?—So far as my report was concerned; but afterwards I extended it to insurance offices over the whole country.

439. Is your estimate of five per cent. not founded upon the death-rate of a certain insurance company, the statistics of which were in your possession?—Yes, in Scotland.

440. Did you not apply that all over the country?—I did originally, and then afterwards, at the last meeting, I brought forward statistics referring to the whole United Kingdom; and it was remarkable how, with the three companies, there was but a very small per-centage of difference.

441. Are you not aware that during the prevalence of these or other similar diseases, certain districts are more affected by it than others?—Decidedly.

442. And insurances that would be made by insurers with an insurance company would be chiefly in those infected districts?—I deny that that was the case, because I specially investigated this matter; when the insurance companies started there was a very great deal of alarm, and there were many counties perfectly free from disease where cattle were insured. In fact, constantly the infected districts were refused by the insurance companies, and the healthy counties were taken.

443. Can you say that from your own personal knowledge?—I can.

444. I can speak to the contrary of it from my personal knowledge. I am afraid that you are speaking without due consideration?—I really am not; because I have had instances come within my own observation, where there has been a very careful inquiry as to the disease occurring in that special district; and they have avoided those districts. For example, they began to insure in Ireland. They stopped as soon as they saw that their losses were so great, and they invariably took the best of the United Kingdom. Why did they not insure in the large towns?

445. Did they not?—They refused.

446. In no cases?—They did in many cases, much to their loss. You can obtain evidence as to that.

447. Were not your figures taken from the returns of those insurance companies during the period of which they did not refuse insurance, viz., at the commencement of the outbreak?—No. It so happens that the majority of my statistics are afterwards.

448. Did they not extend over a number of years?—Yes.

449. Do not they include the periods at which the disease was most rife?—Of course; they included such years as 1856, when, without the insurance of a single dairy in town, there would be an enormous per-centage of loss indicated by the table.

450. Did you not say that, in consequence of the

the mode of management adopted, there were certain districts, viz., breeding districts and feeding districts, which were very differently affected by the disease?—Decidedly.

451. Did not your average for the whole country include those affected, and those districts which were not so seriously affected?—It includes the whole country; the whole area. There were as many stocks injured on the hills of Perthshire, where the maladies only occasionally occur, as there were in Fife. The general average can thoroughly be relied upon.

452. I think you stated, subsequently, that in your opinion pleuro-pneumonia was quite as much prevalent now as in those early years to which you refer?—I said so, with this qualification: that there are periods when the malady is more rife than at others. It was less rife last year than the year before; but wherever it does occur it is as fatal now as ever it was.

453. Have you not found, in your practice as a veterinary surgeon, that the prevalence of disease in a district is a great inducement to the farmers in that district to effect insurances?—I have no doubt that they would, if they could get them insured; but it so happens that, unless companies have incautious inspectors who do not do their duty, they carefully avoid it.

454. You stated, I think, as I understood your answer, that a Norwich Company in existence had had a very limited amount of business. Might not that be caused by the fact that there is very little disease in the country at this time?—Not at all. In the first place, the great losses of these insurance companies at first have somewhat restricted their capital and their operations; and, in addition to that, we find that the country is not satisfied with the system of inspection; great losses have been incurred, and farmers would have nothing to do with them. I know myself I have personal friends who have lost heavily, and money is owing to them at the present time, and they say: "We will have nothing to do with cattle insurance."

455. With regard to the slaughter-houses in Edinburgh, to which you refer, are you aware whether they are under careful supervision?—I am aware that they are not under careful supervision.

456. Have you yourself on any occasion appealed to the evidence offered by the books of those slaughter-houses in confirmation of your own returns?—I have.

457. Is it not the case that you have stated, that out of 1,830 cows kept in Edinburgh 1,075 were sold diseased?—Yes.

458. Do not those returns to which you have referred show that there were 21,722 cattle sold altogether, and passed through those slaughter-houses in that year; including not only cows, but all other descriptions of cattle that pass through the slaughter-houses?—I suppose so, I cannot say the number, but a very large number.

459. Mr. *Hunt.*] Have you the returns?—I have not.

460. Mr. *Caird.*] This is your letter (*handing the same to the Witness*)?—I have not mentioned that fact. I have not stated the number of animals.

461. That is your own letter, which perhaps you can look at. It is only to show that you did not give us information as to the whole quantity of cattle that were slaughtered?—Those facts were not before me at the time, I could only give that which I could obtain, I applied to the police surgeons in Edinburgh for a statement of the losses, and I then ascertained this; that what is represented here as loss was considerably below the actual loss. I accepted the truth so far as they gave it to me. I have not stated anywhere that that is the whole truth.

462. Of the whole number which were passed as diseased, only a small portion, I think, were condemned?—Only a small proportion certainly. In my opinion, too small a proportion.

463. Still, the whole number which you stated as diseased were not condemned at the slaughter-houses?—No, they were not.

464. With regard to these dairy returns from Edinburgh, as to which I am asking, I am sorry I have not the evidence to refer to particularly; from whom did you obtain those particulars which you stated to the Committee?—I obtained those particulars from the dairymen, and I believe I have those particulars still.

465. From the dairymen themselves?—I do not say directly; I obtained some directly, and others indirectly, as stated in my evidence, and moreover had those statistics; and I believe that I still have the original table, written in the hand of one of the Edinburgh dairymen.

466. With regard to the information you have given us about dairies, both in Edinburgh and London, and in other large towns, is it not a common thing in town dairies to milk the cows so long as the cows yield milk profitably, and then to sell them?—Yes.

467. Will not that happen to be within the year?—It always is within the year. As a rule, at all events formerly, we used to have in London cows that were kept on more than one year, two years, or three years. You constantly had a bull by the side of the town cows formerly. The average period of life of a town dairy cow now, I believe, never exceeds five months. Formerly, on an average, it would amount to somewhere about nine or ten months.

468. *Chairman.*] From the time it entered the dairy?—Yes.

469. Mr. *Hunt.*] What do you mean by five months; do you mean it was found more profitable to sell it at the end of the five months, or that the animal died by disease?—It died by disease. Some few lived on. You have now, for example, a certain number that have had the disease in a mild form, and they try to keep them on as long as they possibly can. They keep them on 10 months. In a dairy at Glasgow they brought these diseased cows in on purpose. In fact, a higher price is paid for animals that have died diseased.

470. Mr. *Caird.*] In the case you have mentioned in a London dairy of 200 cows, where 900 cows had been sold, have you any means of ascertaining what proportion of these 900 were sold in the regular course of business as fat cows?—They were all which were sold diseased. On that point I stated that further evidence could be had, and I believe it is to be taken on that point from a person who can speak more in detail on the subject than I can.

471. You stated, in the course of your examination, that breeding districts were on the whole healthy?—Yes. Decidedly.

472. You referred particularly to Ayrshire; was not Ayrshire a very healthy district at the first outbreak of the disease?—Yes. Ayrshire,

Professor *J. Gamgee.*

13 May 1864.

for example, is one of the counties in which you have a very considerable traffic, and so you have in Cheshire. If you will take the breeding farms over the whole country, where short-horns are bred, or the Devon cattle, there you will find the greatest immunity. If you go into many parts of Gloucestershire and Somersetshire, and other parts, you will there find an immunity from contagious disorders.

473. Take Ayrshire for example; it was, as you yourself acknowledged, very much affected by the disease at the early commencement of it, and you say that pleuro-pneumonia is still as prevalent in the country as ever; are you aware of the fact that there is very little pleuro-pneumonia in Ayrshire now?—I am aware of the fact that there has been a very considerable amount there lately.

474. Do you say there is as much in Ayrshire now, or anything like it, as there was at the commencement of the outbreak of the disease?—I am not prepared to state that, at the present moment, there is as much as formerly, but that the average loss in Ayrshire at the present moment, if you insure stock there, would be as much as it ever has been. On that point, for example, I know the Ayrshire cows are taken into the Glasgow market apparently healthy. It is impossible to go into that market and buy 30 Ayrshire cows, without taking the pleuro-pneumonia home. Upon that you can get any amount of testimony which you wish.

475. In regard to the period of incubation of the disease, I think you stated it was from three weeks to a month?—No; it is longer usually for pleuro-pneumonia; it is about 40 days. In fact, in town dairies it is commonly seen that the animals are six weeks in, and then fall with the disease. Experiments on a large scale are performed abroad, and also here. For example, with the Glasgow stock, wherever you have the stock healthy, and put diseased animals amongst it, it is found that a severe loss began about three months after infection. It is the longest period of incubation, and that is why the pleuro-pneumonia is so insidious.

476. What would be the remedy you would provide for farmers living at a distance from the metropolis desiring to send cattle to the metropolis, who perhaps are not aware that the disease has already found a seat in the cattle. What remedy can you provide for their being brought safely to London? Suppose, for instance, it is provided by this Bill that inspection is to take place on the removal at Aberdeen, say, and they may manifest the disease before they reached London, how are you to remedy that?—I am not prepared to state off-hand what is to be done. I merely state as a fact, if a man buys a cow, and that cow dies within a month, the vendor should be responsible for the sale of that cow, as it is abroad.

477. Could you ascertain that at the immediate commencement of the disease?—At the period of incubation? in no disease; that is impossible.

478. *Chairman.*] Could you always ascertain within a month of the death, if the animal was diseased?—Do you mean, if you examined an animal a month before it died, could you tell whether it was diseased?

479. Yes?—No, you could not always.

480. Mr. *Hunt.*] I understand you to say that the disease might be so rapid, that the animal might die within 24 hours of taking it?—Yes.

481. *Chairman.*] You would hold the seller responsible, although he had no means of knowing the animal was diseased?—Decidedly; that is the rule with regard to all warranties.

482. Mr. *Caird.*] You mentioned one instance in Fife of four bullocks out of 35 that turned out diseased; I think you said the person who bought them killed those four bullocks?—He did.

483. Was not that the best thing that could be done under the circumstances?—If he had killed them at the time, I say decidedly it was the best thing. Of course there is no doubt about it, but I should not, if I had had power, have allowed that stock to go to Dundee. I should have had it slaughtered there, and, on the certificate of a competent veterinary surgeon giving a history of the case, sent it up to the meat market.

484. With regard to inoculation, I think you said that out of 300 not more than three or four were ill, and you would have proceeded at once to inoculate the rest to prevent the spread of the disease?—Decidedly, there is no evil attending it: it is a simple operation.

485. Supposing that was done upon milk cows, would it not affect the milk?—Never.

486. Would the state of disease thereby brought upon them by inoculation in any way injure them?—It would if the inoculation was not properly performed. I can bring before you dairymen, at the present moment, who have had 150 to 200 inoculated by myself and my colleagues.

487. Would you look on inoculation as a complete remedy in a large dairy, for instance, in a city against the spread of the disease, and that the effect of the inoculation itself would not damage the cows from yielding milk at the time?—Decidedly. I know there is damage; and in London there has been a feeling developed amongst some medical officers against inoculation; but that is simply from the wretched manner in which it is performed. I opposed it simply because I saw cattle killed by it.

488. In what way was the operation badly performed?—There are various ways. In the first place, there were deep incisions, the lung decomposing, and there was no judgment in the preparation of the lymph, and then inoculating in an improper place; in the top of the tail, for instance, and the animals died inevitably.

489. Is it well understood amongst veterinary surgeons as to the modes in which the operation can be successfully used?—I think they are beginning to understand it. They understand it perfectly well abroad. It is a very simple matter; it is a very simple matter to lay down the rules of that operation; and any person accustomed to such operations would perform it most readily.

490. Has it been very extensively practised in this country?—It has not, unfortunately. Last year I was anxious to ascertain the importance of this as of other matters, and I called a congress of the veterinary surgeons at Hamburg. It was from the overwhelming facts brought forward there that I felt bound to do everything I could to inquire into the value of the thing, and to carry it on; and I have done so with the most perfect success. I have only had one instance of failure.

491. Have you done it extensively yourself?—Yes. In Britain, to the extent of 40 and 50 animals on a farm, and 150 in one instance.

492. Have

492. Have you done it extensively in any one large dairy?—Yes.

493. Where was that?—In Glasgow. I have done it on 157 animals there.

494. Were these animals at the time giving milk?—Yes.

495. And had the process of inoculation and subsequent disease (for it is disease) no injurious effect on the production of that milk and its quality?—Not the slightest.

496. Did it not interfere with the yield of it?—Not in the slightest degree. In the town of Edinburgh there is one of the finest dairies; and, in fact, for years past the greatest care has been taken; but he inoculated those cattle, and they have been in the most irreproachable condition ever since.

497. Had it the effect of entirely putting a stop to the spread of the disease?—Entirely. This man lost 24 in two months. He had one or two diseased when I was there. I think he carted three away within a day or two of my being there, and after that, up to the present time, he has only had one single case.

498. Do you know whether it is the fact, or what is the fact upon the point, whether pleuro-pneumonia is taken a second time by the same animal?—It is not taken a second time, with very rare exceptions; so rare, indeed, that, as with small-pox in town, it is accepted as a fact that it does not occur a second time.

499. Then, with your knowledge of veterinary surgery, it is your opinion that the disease of pleuro-pneumonia may be prevented successfully by inoculation?—Decidedly, and by other means too; and that is the hardship of the whole traffic that has been going on for so long.

500. What are the other means?—The other means, as I stated the other day, are careful separation, and the use of mineral tonics to invigorate the animal against the attacks of the disease.

501. You stated that in no less than 60 cases of those you instance to us, every animal died in the possession of the people who had insured?—Yes. I have known cases repeatedly where every single animal of a stock has been killed.

502. Is it not possible that the farmers may have sold all the rest of the cattle in order to get rid of the possible spread of the disease?—Not at all. You can get the history of each single animal in those particular cases,—when it was seized with the disease, to whom it was sold, how it was sold, and whether it was heated, and the history with regard to each single animal included in those 60 cases.

503. When the disease has affected the animal, do you then think that the farmer acts rightly in endeavouring to cure it, when the animal is affected by pleuro-pneumonia?—I have had many instances where I have had great success that way. It depends entirely on the severity of the disease.

504. I understand that you look more to prevention than to cure?—Of course. If we knew when the outbreak occurred there is no doubt that the mortality by the disease would be a fraction per cent.

505. Then you think the Legislature should proceed rather in the direction of endeavouring to secure prevention than to insist upon cure?—I understand that that is the object of legislation on all these points relating to contagious disorders—stopping the spreading of the disease.

506. When you have a certain number of animals affected by the disease on their way to the market, how would you treat them there?—I suppose that is a question with regard to the different disorders that will have to be considered. I should certainly arrest them. I would never allow them to go a single yard.

507. What would you do with the animals when you arrested them?—That is another question; according to circumstances. It is impossible in a minute to establish rules for such an occasion; but most assuredly, if you have an animal with pleuro-pneumonia, stop it. In Edinburgh I followed animals three miles. I have seen one single animal with pleuro-pneumonia walk through three or four herds of stock. Last week, in this town, some Irish stock was brought across; I examined it when it came off the boat. It was perfectly healthy. It was taken up into the market. There was a Dutch cow with pleuro-pneumonia brought into the one end of the market, and amongst these animals. There is no fear of the animals not getting a bad reputation for being diseased. How can you help it? That cow should never have been allowed to walk a yard.

508. Do you not, in your report which has been printed, say that in your opinion the disease is practically incurable, or something like that?—Yes; and I still adhere to that opinion.

509. Do you not recommend farmers not to attempt a cure?—Of course; and in this sense; for example, wherever remedies have been suggested for the treatment of the disorder they have only ended in disaster and failure, because the farmer, trusting to his care of the diseased animal, has neglected the preventive measures and the maladies that spread.

510. Having those animals brought to market, and the disease manifesting itself in those animals when brought to market, what then would you recommend to be done?—I think, under those circumstances, they should be immediately destroyed.

511. Would the meat in that case be unwholesome for human food?—If you can secure that the animals should be sold in the early stage, I should certainly not be an advocate for its destruction.

512. *Chairman.*] For the destruction of the meat?—For the destruction of the meat.

513. Mr. *Caird.*] Your opinion is that the animal should at once be destroyed?—Yes, decidedly.

514. As I understand you, any animals affected with pleuro-pneumonia, wherever found, should be killed?—Yes.

515. But you think that at an early stage of the disease, the flesh of that animal might be used without any injury to those who consume it?—I do; and I have always held that opinion. But I know this, that that argument has been maintained by the persons who have passed animals in all stages of the disease. The question, then, is the period. If you have honest and competent inspectors you will probably get the thing pretty well done; but if otherwise, you get everything under the cloak of "early stage."

516. In advising us as to the measures that we should adopt with the view to legislation, you would, I suppose, recommend us to look to the state of matters—that in cases where animals are found to be diseased, to be affected by pleuro-pneumonia, we should look to their immediate

Professor *J. Gamgee.*

13 May 1864.

destruction?—According to the circumstances under which you have them; I by no means recommend that you should go in and slaughter them whether the owner wishes it or not, under many circumstances.

517. Mr. *Thompson.*] Question 335 is, out of 100 cows, 50 among them would be cured? you say not 100 cows, but 100 animals of all kinds. Do you think, then, that if 50 out of 100 would recover, it would be necessary to call for the destruction of the whole 100?—Certainly not. I may mention to you, with regard to this point, that I have not much faith in the operation of medicines to any extent. Keep these animals, and if you have them over a sufficiently wide area, you will find that a considerable per-centage of them recover; wherever you have these animals placed under circumstances when they are likely to contaminate others, by all means destroy them. Suffer the least loss, because that will diminish the number which you have to handle afterwards; I believe this, that it would be perfectly possible in connection with a large town, to have a system of prevention, and of removal of diseased cattle to some place where they could be without contaminating other animals, and where a large per-centage of them would recover; and I believe that in the course of time the system would pay, and pay much better than the system of the past.

518. Mr. Alderman *Salomons.*] In the event of an animal being destroyed in an early stag o this disease, how would you determine whether it was fit for human food or not?—Easily enough. If there was an extensive exudation amounting say to 25, 30, or 40 pounds, I should certainly condemn the food as not representing any proportion to the weight, and, therefore, being particularly in-nutritious rather than poisonous. It is entirely a question of the extent of the lung disease. That is a correct test of the amount of the disease in the early stage. When we go on, we get decomposition in the tissues, and then we get really the development of poison.

519. That is not an answer to my question. An animal being killed on the road in an early stage of the disorder, is not unfit, as you presume, for human food. Who is to determine whether that animal is fit or unfit?—I suppose the competent authority would determine whether it was diseased. An animal is not likely to be stopped, except where you have some person cognisant of the whole matter, and who could report on the thing.

520. I mean, would you throw that on the butcher or slaughterer, or must not there be some competent officer to decide the question?—I should certainly not trust a butcher or slaughterer with it.

521. Mr. *Caird.*] I think, you stated, in answer to a question put to you the other day, that in your opinion the condition of animals in towns was in favour of pleuro-pneumonia, as compared with animals in the country. Did I correctly understand you to say so?—The condition of trade in towns.

522. *Chairman.*] What he stated was this; that there were more diseased cattle in towns in proportion; but of the same nnmber of diseased cattle in town and country, more would recover in town than country?—Yes, that was the statement.

523. Mr. *Caird.*] Did you not say, from the information which you have laid before us that 5 per cent. of cows died and 2½ per cent. of young cattle?—That is the difference of the six months.

524. I think there was another distinction between six months' feeding cattle and twelve months' feeding cattle?—Yes; the mortality among the younger animals is less.

525. Is it not the fact that the younger animals are chiefly to be found in the country and the older animals in the town?—Of course, taking the young animals as a rule, the loss amongst them is greater than amongst the dairy cattle. It is so generally over the country. Less of them die.

526. I think you stated also that the best animals always die?—Yes.

527. You subsequently stated to us, that 7 per cent. of the animals in Ireland, as compared to 5 per cent. in Scotland, died?—That is what insurance statistics teach us.

528. I think you also said that the cause of the prevalence of disease in Ireland was the fact that they were not so well fed and kept?—And the trade in calves. It was taken there by foreign stock, and since then English and Scotch stock imported into Ireland have certainly brought the disease.

529. With regard to the foot and mouth disease, except in the case of milk cows, do you think it very injurious?—I do. Since I have come to London, I have made it my duty to speak to some of the influential slaughterers and butchers, and I find that they calculate the loss on a fat ox very often in three days to be as much as 4*l.* in value, and as much as 50 and 60 pounds weight. The loss comes, therefore, most heavily on the farmers in the country, who send up their fat stock. If a farmer sends up his fat stock, and it is not sold to-day, being exposed in the market, it catches the foot and mouth disease, and by the Thursday, with the intense fever, and not feeding, those animals have often lost between 2*l.* and 4*l.*

530. Is not the very fact of that a great guarantee to the public, that the proprietors of the cattle would take every care in their power to prevent the spread of the disease?—I am not aware of any means having been taken for the past, except by some intelligent men who have adopted systems of quarantine, and such like; but the rule for the past has been to neglect those points.

531. You speak of the serious losses in regard to fat cattle, but with regard to store cattle, the great bulk of which appear in the store markets of the country, do you hold that foot and mouth disease is seriously injurious to them?—No. In some cases you have it, but it varies considerably. As a rule, the loss among young store cattle taken in the farm is not great. At present, for example, store cattle are being purchased in many farms ever the country; the fat stock is not driven off, and then it catches the disease, and the farmer sustains a serious loss.

532. Is not the foot and mouth disease rapidly and easily spread by contagion?—Decidedly.

533. As I understand, you would recommend that to prevent the spread of the disease, all cattle that are affected in a store market should be separated from the rest, and not permitted to enter the market at all?—Yes, as much as practicable; and indeed it is practicable.

534. Are you aware that it is very prevalent?—Occasionally. It is by no means always prevalent,

lent, and in many districts it is not seen from one year's end to another.

535. In those parts where it is prevalent, and in those markets where it is prevalent, would not such a law as you refer to, and such a regulation as you recommend, almost put a stop to the market altogether?—Not at all. For example, I have seen, with regard to the London markets here, cases where probably there would be a thousand head of cattle affected with the disease. Unfortunately, it is too often probably more than that. On the present system nothing is done. If proper attention were paid to washing and cleaning these markets, and to separation as far as practicable, we should have the small number of times in which there would be difficulty greatly reduced.

536. That is with regard to the question of cleanliness?—And separation too. For example, the last day I was there, what had they done? They had more stock than they possibly could sell; they had taken them into the lairs. Those animals would probably be taken to some other place in the evening, to be confined there till the next market. A lot of other stock would be brought in, and the disease generated from market to market.

537. What remedy would you propose for that?—Wherever possible, separation from the healthy, and disinfecting the diseased animals, which is by no means a difficult process. In addition to that, of course I would propose the most careful ablution of the markets and of the railway trains.

538. With regard to scab in sheep; you have mentioned that there were in Lincolnshire cases of enormous loss from the use of mercurial ointment?—Yes.

539. Can you point out any one case?—I can point out several. Indeed, since last Tuesday, I have heard of one case where 200 out of 500 sheep died from the use of it, and the farmers said to the surgeon anything was good enough for the Londoners; and they were sent up to London.

540. Was that lately?—Yes, within very lately.

541. Mr. *Hunt.*] Is that from their having been turned out in wet weather, and the mercurial ointment getting on to the pasture, or from the actual effect of the ointment getting into their system?—Mercury acts in two ways. In certain cases, where the fleeces are very dense, and the mercury is put on in a considerably quantity, it clogs the fleece, and stops the expiration by the skin, and the sheep die just like they die in the north from tar and butter occasionally. They are asphyxiated. On the other hand, the common cause of death is where there have been repeated applications of mercurial ointment, and salivation has been induced. I have myself repeatedly pulled out the teeth from the sheep. I have known that they have been sent to London, and I have known the price that they have fetched; that is to say, the price they have realised has been higher than that of sound mutton in Lincolnshire.

542. Mr. *Caird.*] You stated that you had used tobacco juice as a remedy?—I believe that is one of the good remedies.

543. Did you ever see an instance in which the scab in sheep was cured by that?—Yes, I should think many. You may cure it any day you like with it, if properly applied. Tobacco-juice unfortunately is very much adulterated. Get good tobacco-juice, with a quantity of nicotine, and you can do it. We are not restricted to tobacco-juice. We use different preparations,—preparations of tar, and so on.

544. When you say "we," what do you mean?—In the north. We have a great many flocks with scab under our care constantly.

545. Mr. *Caird.*] I have been asked to put one or two more questions to you. If the foot and mouth disease is not epidemic, and only spreads by contagion, how do you account for this, that it is invariably more prevalent when the wind is in the east, and that in some weeks it is found very virulent, and in others hardly at all in the metropolitan cattle markets and other markets?—I deny the fact that it is more prevalent when the wind is in the east, but it spreads very rapidly when you bring an infected stock in. In Edinburgh last year our stock was perfectly free until a lot of foreign cattle were brought in with the foot and mouth disease. They at once communicated the disease in two distinct places where they were placed in pasture, and brought disease into the dairies, and then you had a severe outbreak, from which there was an exemption before.

546. Are you aware that the foot and mouth disease prevailed in this country, and was very virulent so early as 1839?—Decidedly.

547. Did you not state it had been brought to this country by the importation of foreign cattle from abroad?—Of course.

548. Was that year 1839 some years before foreign cattle were imported at all?—Yes; but not all foreign cattle. There were foreign cattle for trading purposes brought into Ireland before 1842. 1842 was the period when the importation commenced, and there were cattle brought in before. The foot and mouth disease is a disease attacking all warm-blooded animals, and it is just one of those diseases likely to be propagated in other animals than cattle and sheep. It has been found, for example, in Switzerland, and occasionally in Prussia, that geese travelling from one part of the country to the other have carried the disease.

549. I think you stated that the disease could be communicated by one truck in advance of another?—Not the foot and mouth disease. I was referring to pleuro-pneumonia.

550. Supposing we take the pleuro-pneumonia, that the disease could be communicated to one truck in advance of another?—Yes.

551. Would you recommend in case there should be one truck with diseased cattle in it, that the whole train should therefore be stopped?—No. I recommend that the truck containing the diseased cattle should be stopped.

552. You would allow the whole train to go on, although it is possible that the disease might be communicated from that diseased truck?—I presume such a case would not occur. If diseased animals are coming, stop the diseased animals.

553. But if the disease is so rapidly communicable as you have stated, one truck in front of another communicating the contagion in that way, would it not be very likely to communicate the disease by allowing the whole train to go on?—Really I am not aware of any such case occurring; there is the possibility of stopping diseased animals from going at all. I should not certainly stop the whole train, especially when there has been

Professor *J. Gamgee.*

13 May 1864.

been no communication, the animals not being thoroughly mixed up together.

554. You stated that Friesland was the most diseased province in Holland?—Yes.

555. What proof have you of that fact?—I have the statistics of Holland, published in each province by Government authority; the statistics are given by me to Government, and, in fact, the relative prevalence of the disease is marked out in maps in the Privy Council Office.

556. Have you any proof that large quantities of diseased meat are consumed in the suburbs of London that do not go through the public markets?—I have no doubt about it.

557. Mr. *Cox.*] How do you know that; you say you have no doubt about it?—I know it from persons; I am prepared to bring persons here to state they have been attending cattle, and that they have known these cattle to be sold and eaten around London. Only the other day, a gentleman from Hounslow referred to the matter to me. The medical officers of health are perfectly acquainted with it.

558. Mr. *Caird.*] I think you stated you knew an instance in which an animal died of pleuro-pneumonia within 24 hours after detection of the disease?—Yes.

559. Do you consider that up to the time of detection, the flesh of that animal was perfectly sound and wholesome as human food?—I am not prepared to state that, because a non-professional person could not detect: it the animal was diseased before that probably.

560. Then there would be a great practical difficulty in drawing the line as to any time during the incubation of the disease that it would be possible to fix when it would be wholesome or unwholesome?—I do not think so; I think, during the whole period of incubation, as a rule the meat is wholesome; there may be exceptional instances. That is why you require the *post mortem* as well as the *ante mortem* evidence. There are cases undoubtedly, in which you would have evidence of the animal not being fit for consumption. As a rule, during the period of incubation it would be fit.

561. Mr. *Hodgkinson.*] You stated the average mortality at five per cent. in cattle; that is based, is it not, entirely on cattle which were healthy and in an uninfected district at the commencement of the year from which the average is taken: it is based on insurance office statistics?—Yes, as a rule; of course the insurance would merge from one year into the other, so that the insurance would always have standing stocks with the disease.

562. There is a fresh examination in each year, is there not?—Yes.

563. It is not like an ordinary life insurance?—No; the year terminates at the period of the premium.

564. They would not reinsure the cattle without a further examination?—No; they would not insure them at all if they had disease.

565. Therefore it is based only on cattle which were healthy at the commencement of each year?—Yes.

566. It would not, therefore, represent the whole mortality?—No. I have known a farmer have three stocks. They would insure one at a long distance away in Scotland, because they knew it to be perfectly healthy. He has had others in England, and they have not insured those.

567. Does that mortality include cattle which are slaughtered in the earliest stages of the disease, and sent to the dead-meat markets; would they be returned at all to the insurance offices?—Of course; the insurance offices really vastly encourage the traffic in diseased animals.

568. Is it not the fact that the insurance offices only insure for two-thirds or three-fourths the value?—Quite so.

569. Therefore, if the farmer could slaughter the animal, and get more than two-thirds or three-fourths of what it was insured for, the insurance office would never hear anything about it?—Not at all. The insurance office had a claim over the salvage, and looked very sharp after the salvages.

570. No claim would be brought against the insurance office, I take it?—Very likely. That would only show that the loss is really greater than is represented by the statistics. I believe such cases occur.

571. If a farmer has a head of cattle worth 20*l.*, the insurance office will only allow him to insure it for 15*l.*, or for two-thirds?—Yes.

572. Suppose he slaughters this cattle in the incipient stage of the disease, and can make 16*l.* of the carcase, the insurance office would never know anything about it?—I beg your pardon; the insurance office would, because he would get more from the insurance office. I will explain the principle. The insurance offices used to give three-fourths, and they gave a fourth of the salvage. If the salvage was much, really the owner occasionally got more than he possibly could have got by any other means. At the same time the insurance company lost but little; that shows, again, the insurance statistics are below rather than above.

573. That was my impression?—Decidedly.

574. I will say no more about the pleuro-pneumonia, but go to some other diseases. Are there not other diseases which are very infectious besides those which we have in the schedule of this Bill: for instance, hooze; is not that very infectious?—Under the term "hooze" you have a number of disorders. In some parts of Yorkshire it is a simple cough, but in certain districts of England you have what are called enzootic or local maladies, due to parasites, and preventible by local management only. I do look on them as commonly communicated from one animal to another on exposure in the market at all. The hooze of sheep in the South of England and Cornwall, to a great extent, is found to depend on the deposits of the germs of the parasites on grass. It is principally when the lambs are fed on the after crop and the parent stock has been previously fed on that grass, that you have the propagation of the disorder.

575. Assume that it would not be communicated to other cattle in the fair, but suppose the cattle affected with the hooze were bought and taken to a farm, would not that affect other cattle on the farm?—Very likely. On the point of parasitic disorder this is a very important thing. In Ireland I have known some remarkble instances of farmers selling sheep they knew to be rotten, and these sheep bought to be grazed in districts usually perfectly healthy. Very shortly after they have been purchased by the second person they have begun to die, and there has been no remedy. The man did not know how it was caused, but undoubtedly the animals were affected at the time of sale, and that is a case which requires to be met, because it is a

case

case of direct fraud. I have myself been consulted and taken across from Scotland, where sheep were dying from disease of the liver.

576. Now I will take another disease, "abortion." That is to a certain extent infectious, is it not; you very seldom have an isolated case?—There are other reasons for that; there are two most remarkable reasons for that. In the first place, like the ooze, it is due to local causes; ergot in the grass is a very prevalent cause. Other statistics are coming out now, from which it appears that there is a certain hereditary condition when the stock from one bull will suffer from abortion, and where you have the coincidence of abortion the cause is usually a local one. Of course a cow is a very susceptible animal, and if it were to smell the afterbirth of another animal, it might abort; but it is not a disease where you have a poison, a virus.

577. Is it not the belief that if a cow or sheep had miscarried, and were placed amongst other sheep, the smell would cause it?—Yes, it is quite the belief.

578. There have been very heavy losses lately amongst sheep from that very cause?—I believe so.

579. You think if these sheep were taken to market they would not be likely to communicate it?—No. With regard to the loss amongst ewes in this country, unfortunately, it is due undoubtedly to the high state of feeding, and the animals very often being placed under such circumstances that they cannot be exercised. All these diseases are preventible if we had a system whereby we should know where the disease is. There is a prevalent notion all over the country that nothing can be done with a pig, for instance; "if it is diseased cut its throat." That is a notion which must be corrected.

580. With regard to the washing out of trucks, you stated that if trucks were washed out with water, you thought that in most cases would be effectual: do you think that would be the case with regard to sheep-trucks that had had scabby sheep?—No, I should not trust to it at all.

581. That is the exception to your rule?—Yes. The insurance companies can, at a very trifling cost, get material (Lightbridge oil, or something of that sort) that will kill anything instantaneously—within 30 seconds.

582. What would you compel railway companies to use for a truck which had had scabby sheep in it?—A soap containing some antiseptic agent that would kill, not a poison that would injure the sheep or any other animal.

583. You have referred to the practice in Lincolnshire with regard to using mercurial ointment. You are aware, perhaps, that some years ago other preparations were used, which the Lincolnshire farmers have preferred lately, in a great measure, to mercurial ointment?—I am not aware of it. I know that for a number of years past there has been an enormous trade. I understand, for example, that one maker alone sells about 30 tons a year. I think that it should never be used.

584. Are you not aware of the fact that they have tried these other preparations?—No. Of course they have tried some preparations, and they failed sometimes from mismanagement, and at other times from the bad nature of the preparations.

585. Is there not a great difference between the heavily-fleeced sheep of Lincolnshire and others?—Yes.

586. The remedies which you advise would be more easily applied with a sheep with a light fleece than with the heavy fleeces they have in Lincolnshire?—No, I do not think so.

587. Do not the deaths generally occur from the want of sufficient care after the mercurial ointment has been applied; that is, they are turned out in cold wet weather instead of being kept dry?—Not according to my experience. I was perfectly astonished when I made a very careful inquiry into that matter last spring. Some of the best farmers in Lincolnshire, who at first did not ascribe the poisoning at all to the mercury, were afterwards convinced. It was remarkable what care they took with them, and still they died off. I believe that it depends very much on the kind of mercurial ointment which you use in this sense. I believe it is a fact that the mercurial ointment prepared by steam, which is the best, if intermixed with other materials, is apt to kill them more than the other.

588. With regard to foot and mouth disease in sheep; is it very easily distinguished from foot-rot?—Yes.

589. There is generally a discharge from the mouth, as well in sheep as in cattle?—Decidedly; we make no difficulty in the matter.

590. Some districts are very much affected with foot-rot?—Yes.

591. You never see a market without a great number of sheep, which generally have only three available legs, and sometimes not so many?—Yes; and there is not an intelligent salesman who does not know the difference between the two.

592. Is the cure of foot and mouth disease in sheep so simple and inexpensive that it might easily be applied at a large fair or a large market by the inspector of the market?—Yes.

593. You stated that, at a fair like Ballinasloe, you thought measures might be taken by an inspector?—Yes, I did.

594. You said the remedy would be some lotion to be applied, which would prevent the infection spreading any further?—Yes; it might very easily be done.

595. Mr. *Hunt.*] These large fairs that have been alluded to, Ballinasloe and Falkirk Tryst I believe, only occur very infrequently, do they not?—As a rule, once a year.

596. Falkirk Tryst more than once a year?—They have three fairs in succession.

597. In the case of such a fair as that, it would be very easy to get assistance from other places in the way of scientific persons to attend such fairs?—Decidedly.

598. I presume there are two objects which you look at to be sought for by legislation; one is, to prevent meat which is unfit for human food being sold for such purposes?—Yes.

599. And the other, to prevent loss to farmers, graziers, and other persons engaged in the cattle and sheep trade; to protect them from the loss which they are liable to by reason of the disease getting amongst their flocks and herds?—Quite so.

600. Those are two distinct objects?—Yes.

601. There are some diseases which, though not rendering meat unfit for human food, cause great loss to persons engaegd in the trade?—Yes.

602. Do you classify the diseases according to whether they render meat unfit for human food, or whether they merely deteriorate the condition of the animals, and thus cause loss to the owners?—Decidedly.

Professor *J. Gamgee.*

13 May 1864.

603. Are you able to give us any information with regard to regulations in foreign countries to prevent those two evils?—Yes.

604. If you please, we will take it first with regard to regulations for preventing the sale of meat unfit for human food: you will confine yourself to that. Can you tell us what are the laws of Belgium in that respect?—In Belgium they have public slaughter-houses. They have there a general inspector for the slaughter-houses, and a veterinary inspector to attend to the condition of the stock.

605. Are animals only to be slaughtered in Belgium at slaughter-houses?—Yes. The large cities, like Brussels, have magnificent slaughter-houses.

606. Is it illegal to kill animals except at slaughter-houses?—They have very often fines if slaughtered elsewhere.

607. I suppose these slaughter-houses have inspectors appointed?—Decidedly.

608. Will you tell us what are the duties of inspectors there?—I can speak from direct experience in Brussels. The inspectors take great care to watch all animals as they pass in. The whole of the stock is very carefully housed. Whilst it is there it is properly fed and watered, and if it is a diseased animal it is put aside and not allowed to be slaughtered.

609. If an animal is put aside as diseased by the inspector, what is done with it?—It may be condemned, and be sent to be made into manure; or, where they have a zoological garden, it is sent there. In Antwerp they send them to the zoological gardens.

610. That is, if it is unfit for human food?—Yes.

611. Suppose it was in a less advanced state of disease, which did not render it unfit for human food, what is done with it?—It is sold. I may mention that the cases are very rare. People know that they must not send diseased animals there; and on a very extensive slaughtering day, when many animals were being slaughtered, perhaps out of 500 head of cattle I have seen a single one diseased, with the mark of the inspector on it, and condemned.

612. You consider that the effect of that law is that diseased animals are not sent to the slaughter-houses, and that the dead-meat markets are not supplied with diseased meat in consequence?—Of course.

613. Has such a law been long in force in Belgium?—I am not prepared to state how long it has been, but it has been in force for a considerable number of years. Indeed, all over the Continent, for many years, they have been adopting the same regulation.

614. Are you personally acquainted, or only by writings, with the law of Belgium?—I am personally acquainted with it.

615. Can you tell us whether any great complaints of hardship arising to individuals by reason of the stringency of those laws have been made?—Certainly not. In no part of the Continent have I ever heard that the stock-owners have complained of the Government interference; on the contrary, they did everything they possibly could to aid Government, because they saw salvation of their stock in that.

616. Do you know the condition of the Belgian farms?—I do; I have travelled over Belgium to a great extent.

617. Are they not very small?—There are some very large. For example, you have large stocks fed in connection with the distilleries, where you will find from 300 to 400 head of cattle.

618. As a rule, are not the farms very small farms in Belgium?—I am not prepared to give you any statistics.

619. Mr. *Cox.*] What is the largest farm that you ever heard of?—I am not prepared to answer that question.

620. Mr. *Hunt.*] You say that in Belgium certain animals are condemned, and are sent to be made into manure, or sent to feed the birds of prey and other things at the zoological gardens?—Yes.

621. In that case, does the owner get any price for the condemned animal?—He gets paid for the hides.

622. Is he at the whole loss?—Yes. Of course, if there is any salvage the owner will get it.

623. There is no compensation of any sort made to him by reason of the official condemnation of the animal?—No.

624. With regard to animals that are not allowed to be slaughtered, which you say are sent away from the slaughter-houses, are they sent back to the owners, or are they sold as diseased animals, or what is done with them?—They are never sent out after once diseased.

625. I thought I understood you to say that if they are not allowed to be slaughtered, they are sold; if not actually unfit for human food, but prejudicial, they would be sold?—They would not be allowed alive out of the slaughter-house.

626. Supposing there was a case of an animal that was not actually unfit for human food, but still not very desirable, what would be done with that?—I am not aware that they adopt any other plan. If they believe the meat to be unwholesome, they decidedly condemn it; if not, they do not condemn it. Such a case has occurred, where an animal, for example, has been kept over a day or two; it has been overdriven, or injured in some way, and they keep it over till it is quite right, and then they have it slaughtered.

627. There is such a state of the blood, from being overdriven, which would temporarily unfit the animal for consumption for human food, which would pass away?—Quite so.

628. In Holland are there similar regulations?—Yes; there are similar regulations there, and Government has usually a very sharp look-out after the provisions. I know there have been some very rigid inquiries in Amsterdam, and every care is taken. Of course they have violations of rules there as elsewhere.

629. Have you yourself seen the inspectors in Belgium or Holland performing their duties?—I have.

630. Are they performed efficiently, or is it merely a farce—a form to go through?—It is very efficient, because they are very careful in the selection of their men. In Belgium they have to take an oath that they will perform their office without partiality and with great honesty. They try and get the best men they can, and give them commensurate salaries, so that they are independent of bribes.

631. Do you conceive that there is any such thing as some persons being able, by reason of corruption of some kind or other, to pass meat that others could not?—No, because the organization

zation is so complete; one eye is on the other; and, on the whole, the thing is very free from anything like malicious influence of any kind.

632. To pass on from that. You are acquainted, I believe, with the laws of Mecklenburg?—Yes; more with the prevention of disease.

633. Do you know anything about the regulations of Russia?—No, not with regard to Russia. In Prussia I know they are most strict with the meat inspection, and lately there have been some investigations specially in regard to the new flesh-worm disease. I have here a pamphlet which Professor Volkner was called upon to write, in order to show what means should be adopted, by the inspectors and others, in order to prevent the spread of the disorder.

634. With regard to Prussia: what markets in Prussia have you any personal knowledge of?—I have not much experience myself, personally, of the markets in Prussia.

635. Well, then, from writings or official documents relating to Prussia, can you tell us what the regulations of Prussia are with regard to dead-meat markets and slaughter-houses?—They are very much the same as in Belgium.

636. There is an official inspection?—Yes.

637. In Austria?—In Austria they are the same. In Austria I know that there have been some very stringent regulations, especially with regard to Vienna, as to the distinct separation; and this occurs in Paris,—a separation of any animals that are passed as passably wholesome by the inspectors, and other animals in separate places. A citizen can go and buy inferior meat at an inferior price, and it is almost as good as ticketed that it is diseased.

638. There it is not prohibited?—Yes, it is, for a number of disorders.

639. There are a certain number of diseased cattle which are marked as diseased, and allowed to be sold, while certain others pass as perfectly healthy, and others are condemned as unfit for human food?—Yes, that is the case in Austria. By a Ministerial Decree, passed in 1851, cattle affected with pleuro-pneumonia in the earliest stage can be slaughtered and sent to a special market and there sold.

640. Now with regard to France: can you tell us what the regulations of Paris are; I am referring still to the slaughter-houses and dead-meat market question?—The regulations for the slaughter-houses in Paris are admirable, and so they are for the dead meat. For example, in the first place, there is not a portion of the dead meat of Paris can get into Paris except it passes through the hands of the inspector; it must be taken to the *halles*, in order to be inspected, and afterwards it may be sold, but they are very rigid in their inspection of dead meat.

641. Is it the case in France that no animal can be slaughtered for human food except at the recognised slaughter-houses?—Yes.

642. And every animal killed at that recognised slaughter-house passed under the hands and eyes of an official inspector?—Quite so. I know of no place where the system is so admirable as in Paris, and it is such a remarkable contrast to London, for example.

643. *Chairman.*] Dead horses, as well as oxen?—Yes; they are kept under very close supervision there.

644. Mr. *Beecroft.*] Are you aware that horses are made use of as human food?—Yes; and in Switzerland I have seen them, and in Prussia too.

645. Are they inspected?—Decidedly.

646. Mr. *Hunt.*] What are the qualifications and professions of these inspectors?—In all the countries that I have visited where there is an efficient inspection, there are veterinary surgeons, and none other. Indeed, in Paris they go so far as to permit a butcher to call in a veterinary surgeon of its own, and the Government has its own inspector; the two are requested to report on the case, and there is an appeal in that way; but invariably the inspection is by a veterinary inspector. I was very much struck with that in Ferrara on one occasion; Professor Mafai, a professor of the veterinary college, was the inspector at the slaughter-houses; one morning he condemned a bullock when I was there (and a very handsome bullock he looked); the bullock was buried. The next night a jobber robbed the flesh of this bullock, and flung it over his shoulders in a sack; he died within three days, from erysipelas and inflammation of the skin, showing how right Professor Mafai was in condemning it, and the necessity there was for an inspection.

647. Mr. Alderman *Salomons.*] I should like to ask whether there was a double inspection at Paris of the live animals and of the slaughtered animals at the abattoirs?—Yes; there is an inspection at the live stock market, and likewise an inspection at Poissy and all those places; they are very careful that animals should not be shown that are diseased; they go further, they see that animals are not slaughtered when they should not be slaughtered; for example, there is a large trade in this country in slink-veal, animals that have never breathed and never sucked; there is a law in Paris that no animal shall be exposed for sale that has not been fed for six weeks after birth, and that is rigorously attended to at one place and another, where they are intended for slaughter.

648. Lord *Naas.*] Do you think that a useful law?—In relation to the slaughtering it is. I should not allow calves to be killed, as they are here, without having been fed.

649. Mr. Alderman *Salomons.*] Is an inspector attached to an abattoir in Paris?—Yes.

650. For the meat?—Yes.

651. From your knowledge that is so?—Yes.

652. Is there a double inspection, one of the live animal and one of the slaughtered animal, to see if the meat is wholesome?—Quite so; there is in both cases.

653. Mr. *Hunt.*] I propose now to pass on to the foreign regulations with regard to other animals, not with regard to the slaughter-houses, nor with regard to the regulations affecting animals that are passing from hand to hand, and going to fairs and markets in foreign countries: can you give us any information about the regulations attached to that?—About the animals that are diseased?

654. No. I mean to say, what are the regulations with regard to the inspection of animals that are sold in fairs and markets abroad, or that are passing along railways and packets, and so on; what means are taken to prevent the spread of disease amongst such animals?—So far as railways are concerned, it is proposed now in Austria to have some stringent regulations.

655. They are not in existence?—No, but in Prussia they are.

656. I want to know what regulations have been found practicable, by experience in foreign countries, not what are proposed. If you can point

Professor *J. Gamgee.*

13 May 1864.

point out any country where regulations have been in existence for four or five or more years, with regard to the transit of cattle from one part of the country to another, and in regard to the sale of cattle at different markets, I should be glad to have that information?—There are three ways in which the diseased animals are stopped.

657. Lord *Naas.*] Where?—In Prussia, Belgium, France, Austria, and in some parts of Italy; you have them, in the first instance, inspected at the frontier when they get in.

658. Mr. *Hunt.*] Will you take one country only?—I will take Prussia, if you like.

659. What are the rules in Prussia?—They are very carefully inspected at the frontier, when they are foreign cattle. In the event of any disease appearing amongst them, they are of course prevented from crossing into the country.

660. Mr. *Cox.*] The whole of them?—Yes. With regard to other disorders, the contagious typhoid of Russia, they insist on the animal being in quarantine. If any part of Austria is affected with the Russian plague, the animals from that part are subject to the same quarantine as the Russian cattle; but that is only when diseased.

661. Mr. *Hunt.*] Cattle and sheep coming into Prussia have to pass certain frontiers?—They have.

662. And there they are inspected?—Quite so.

663. Supposing a drove or flock coming to the frontier has diseased cattle amongst it, and the inspector stops it, what is done with those that are rejected and prevented coming in?—They immediately adopt the means that are desirable to stop the disease in that flock.

664. But what is done with them?—They are kept there in quarantine, or driven back; they may go where they like.

665. I want to go into detail about that: supposing a certain number of a drove are held to be diseased, and not allowed to pass into Prussia, does the official undertake to cure all the diseased ones which are stopped, or has the owner or drover to take care of them, or what is done with them?—The inspector takes charge of them.

666. At the expense of the owner?—Yes.

667. And orders them to be killed or treated according to the necessities of the case?—Of course; abroad, where they have the Russian plague appearing, if they see it is at all a hardship to the owners, they have means of recompensing them for it; but, as a rule, where they stop the whole, they either prevent the disease spreading in the animals, or slaughter the whole.

668. Is that under a general law, or is it a temporary law, which applies to a particular frontier, according to the state of disease amongst cattle on that frontier?—It is a standing law with respect to stock coming from infected countries.

669. Does it apply to the eastern frontier of Prussia only, or to all the frontiers?—To all the frontiers; to any cattle coming from that special part.

670. Has the law been made with the view of keeping out one particular disease?—No. The law has been made, for example, with regard to small-pox in sheep.

671. It is a law of universal application to all the frontiers of Prussia?—Yes; for all contagious diseases.

672. Can you tell me how long that law has been in force?—Many years. I can trace it back to an early part of the century myself. I know of its having existed as far back as 1815.

673. I do not know whether you have any knowledge as to this; do you know of your own knowledge the inconveniences arising to individuals by reason of that law?—From my own knowledge I do not.

674. Have you had any means of ascertaining? I have.

675. Will you tell us what means?—The means that I have specially had have been from correspondence with persons who are engaged in stopping the plagues; for example, Professor Rohl, of Vienna. I have had very special communication with him on that point. He says that where the regulation has been perhaps too long, as in some parts of Austria, where they have required them to stop a month in quarantine for the Russian plague, the people have here and there smuggled the animals; but taking it as a rule, they have every assistance given them by the dealer and the farmer, in order to prevent the outbreak of those disorders, and in order to prevent the spread. It has not been attended with any hardship. There was an application made by the Russian dealers to the Russian Government, a few years ago, to get over the quarantine, and to permit them to bring the Russian stock into Berlin. The whole of the Prussian farmers rose against the regulation, and they gave it up, and Prussia has been protected in that way from the disease.

676. Do you find that the laws have had the support of the population of Prussia?—Of course, whenever there has been an attempt to break through them, the population has been up in arms directly.

677. That is with regard to Prussia; with regard to France, can you give us any information?—I may mention that with regard to Prussia, there is also, in addition to the inspection at the frontier, the inspection at the markets, which is very rigid. Every outbreak, whether it occurs on a farm, or in a market, is reported at once. It may be necessary for a sanitary commission to be called on that point, if it is a very bad plague, or they may have to adopt some means to stop it.

678. With regard to the fairs and markets, is there a regular inspector appointed in Prussia to attend them?—Yes; and in Austria the local veterinary surgeons are at the fairs, and carefully inspect them. I have been at some of them with them.

679. What is the operation of that law; is it to keep diseased animals out of the markets and fairs?—Of course they could not possibly preserve their stock if they had not that regulation. If anybody has diseased stock he keeps it at home, or else they get it away by subterfuge.

680. Is it the result of your experience and your reading, that where there are these stringent provisions with regard to the inspection of animals sent to foreign markets and fairs, that the tendency is to keep diseased animals out of these markets and fairs?—Decidedly.

681. Now, with regard to France; can you tell us what the laws are; I am on the second head, not with regard to animals slaughtered?—In France, under the Minister of Agriculture, there is the department of veterinary surgeons all over the country. They, in their respective districts, attend the slaughter-houses, markets, and fairs, and, as they do in Austria and Prussia, report on the appearance of disease wherever it may be. The result is, that wherever an outbreak occurs, or wherever any diseased animal is found,

found, there is immediately an inquiry into the matter, and the disease is checked. The most magnificent reports have been published on these outbreaks, and that is where we derive most of our knowledge.

682. I omitted to ask you one question as to Prussia, with regard to animals that are turned out of markets and fairs by an official inspector; what becomes of them?—I am not prepared to reply to the question. I do not know thoroughly what is done generally over the country.

683. With regard to France, can you tell us?—In all these countries they can seize animals with contagious disorders and dispose of them as they like.

684. Has the owner to take charge of them and convey them away, or does the official inspector take charge of them at the owner's expense?—The owner may be subjected to a heavy fine and lose the animals and every thing, if he has recklessly brought any diseased animals.

685. I am not speaking of the penalties, but of the disposal of the animals?—They can slaughter them instantly if they like, or they can dispose of them in some other way.

686. You cannot tell us exactly what becomes of them if not ordered to be slaughtered immediately?—No, I cannot. May I explain this: The great way in which disease is kept out of the market in France, Prussia, Austria, and Holland, is by a notification of any contagious diseases appearing in a district, and care being taken to circumscribe that disease within narrow limits, so that there is very little chance of its going beyond. The largest markets and fairs in France are never seen to be in that condition; there is no chance of the diseased stock getting there.

687. Lord *Naas.*] You are not aware of the precise nature of the regulations that are in force in Prussia with regard to country markets?—Yes. I am aware, in general terms, of the manner in which those markets are inspected, and the animals excluded from them.

688. Mr. *Cox.*] No. It is what they do with the animals that are excluded?—They sometimes slaughter them.

689. And if not slaughtered?—I cannot tell you what they do.

690. Lord *Naas.*] Who was the officer by whom this duty is performed?—The veterinary surgeons of the various provinces. I have the reports for the last 10 years relating to Prussia, with regard to the outbreaks, and the number of animals that they have had destroyed, and all that.

691. Do you wish the Committee to understand that a veterinary surgeon attends at every place of sale of live cattle in Prussia, for the purpose of inspecting the animals, and rejecting them if found diseased?—As a rule they do. It is the duty of the inspector to do it, and specially to attend the fairs and markets.

692. You do not know whether he does it or not?—He does it.

693. How are those gentlemen appointed?—They are appointed generally under Government. There is a central organization; they are directly responsible to Government for their duties. That is the advantage; for example, in France, Prussia, and Austria, in the remotest parts, where the farmers might have some little difficulty in keeping a veterinary surgeon, these veterinary surgeons are there kept so as to have their eye constantly on diseases, and they prevent it.

694. Are they paid by Government?—By the local authorities.

695. Out of the local rates?—I believe so; and some of them in Belgium, for example, have a direct employment under Government, and direct pay.

696. The payment, I suppose, is imperative on the local rates; it is not permissive?—I am not aware; I know they have a salary. Of course it is a small salary, but nevertheless, something sufficient to enable them to do their duties efficiently, and to enable them to live with what else they get in practice.

697. Are they obliged in return for the salary to attend flocks and herds of farmers free of expense?—They are obliged to watch for these contagious diseases.

698. Free of expense?—Sometimes; wherever Government undertakes to stop outbreaks. Government has a tariff, and in Mecklenburg they are authorised to charge so much per head to inoculate a sheep wherever a contagious disease breaks out, and the farmers are compelled to adopt preventive measures.

699. That is in the case of a farmer being compelled to adopt preventive measures?—Yes.

700. But in the case of a farmer wishing to consult one of these gentlemen himself?—He pays him.

701. Mr. *Hunt.*] Is there not some peculiar law in France with regard to the warranty of animals?—Yes.

702. Will you tell us how that is?—They have what they call there *vices des abattoirs*, the diseases or ills for which the animals can be returned, and they classify them, and the animals are capable of being returned within a definite period.

703. Is that without any special warranty at the time of sale?—Yes.

704. The law considers a warranty to attach to all sales of stock with regard to these particular diseases?—Quite so.

705. Can you give us the period within which stock must be returned?—Yes, in some diseases I can. The butcher, for example, is protected for nine days after he buys stock. If it is found to be diseased within nine days, the seller of that stock loses the animal, or at all events it is sold, and the seller gets whatever reduction it has suffered; and in fact, the salvage goes to the owner, but he is responsible to the butcher.

706. Lord *Naas.*] The effect of that law is, that the butcher receives by law a warranty of stock which extends over nine days?—Yes.

707. Mr. *Hunt.*] With regard to what diseases; all diseases?—No, not all diseases; more especially those diseases that cannot be ascertained to exist at the time of sale. It must be a disease that the purchaser could not recognise. The same with regard to horses. No person in France is protected, in buying a horse, against a defect that he ought to have seen.

708. Is that in the Code?—Yes.

709. Can you refer us to it?—I cannot.

710. Lord *Naas.*] One question more about the organisation. In the case of it being thought advisable to extend this system of inspection of diseased cattle to this country, copying as near as possible the Prussian system, would it not be necessary to create a central organisation in London, directly under the control of the Government,

Professor *J. Gamgee.*

13 May 1864.

ment, for the purpose of carrying out the detail of such measure?—I do not know that it would be necessary; I think it would be desirable for Government to have a proper supervision of the matter.

711. Would it be possible for Government to carry out any system of the kind without an institution or an establishment in London under the control of scientific and experienced men?—If I were to argue from the medical officers of health over the country, I should say they could. I am not aware that the medical officers of health are under any central management.

712. You think, on the whole, if it were to be carried out, it would be advantageous to have an establishment of that kind?—I think it would be very desirable; this is what I think. I think it would be very desirable that our Government, like the French and Belgian Governments, should know precisely what diseases there are, and where they are, with a view, as far as practicable, to protect the country and the people.

713. Mr. *Hunt.*] Would you like to have such a law in England, that there should be a warranty attached by law to all sales of cattle and sheep for a limited number of days?—In relation to certain disorders, I think it would be most important; for example, in relation to the lung disease, I should think it would be most important that any animal seized within a certain number of days, should be at the expense of the person selling it, that the loss should fall on the seller of any animal that must have been infected when he sold it.

714. Without any special warranty?—Yes.

715. What period would you take with regard to pleuro-pneumonia?—I certainly should not take less than three weeks; I am not referring to butchers, because the butchers who have to kill the animal do kill it at once.

716. With regard to store cattle?—Certainly, within three weeks. If I bought a lot of store stock, and that store stock showed signs of the lung disease within three weeks or a month, I should be certain that those animals were affected considerably before the time I had them.

717. What I understood from you, in your examination by the Chairman, was that pleuro-pneumonia, in a very rapid case, might attack an animal and kill it within a few hours?—No; only from the moment that the period of incubation had elapsed, a period of incubation must occur and it is long in pleuro-pneumonia.

718. Your answer to Question No. 197 is, "Really I have known animals die within 24 hours after persons first noticing that they were diseased"?—Of course.

719. What you say is this, that in that case the animal might have had the disease for three weeks without being noticed?—Clearly; but then always, under any circumstances, the period of incubation must have elapsed.

720. Mr. *Cox.*] Perhaps you will be good enough to answer this question, would the disease of pleuro-pneumonia exist for three weeks without being observed?—It might.

721. And then the animal die within 24 hours?—It might.

722. Have you ever known such a case?—Yes.

723. Mr. *Hunt.*] What I understand is this, that you would like there to be a warranty by law attached to the sale of all animals with pleuro-pneumonia lasting over three weeks?—Decidedly.

724. I suppose you are acquainted with the usages of the cattle trade?—I am.

725. Is it the case that there are persons whose whole business it is to go from one fair or market to another for the purpose of buying and sending animals all over parts of the county, and selling again?—Yes. I was particularly anxious the other day to state when I went abroad to Holland for Government, to investigate into the disease as it came from abroad, I found that the cattle-dealers and sheep-dealers there were in the habit of hunting out wherever diseased cattle was, to buy the whole stock of a farmer and send it here. I happened to go on a farm where small-pox existed and where the dealer bought every single animal he could put his hands on, paid the farmer a very small price, sent it across here and made a large profit on it.

726. That is very common?—Yes, it occurs here constantly. I myself, in treating disease, have been constantly followed by people tempting the farmer to sell his stock.

727. Would the present laws against the importation of diseased cattle be sufficient to prevent that?—No, not altogether.

728. Why not?—Because I hold that we have not sufficient opportunities for inspection. Animals are hurried in. There is no space for a proper inspection. They are not usually kept there till quiet, when they can be seen to be diseased, and very often the number of inspectors is not sufficient. In London I unhesitatingly say that two men cannot do the work they have to do. They are brought in and thrust into dark places, ruinous places, where it is impossible to have a proper examination of the animals. They profess to examine them on board ship, but that is absolutely impracticable.

729. I was alluding more to the cattle disease prevention than cattle importation, to persons whose trade lies within the United Kingdom, attending fairs and markets in one part, and sending stock to sell at an increased price to another part?—It is very well known that there are certain cattle-dealers (certain cow-dealers, for example) from whom we are tolerably safe in buying stock. On the other hand, there are others who are not quite so scrupulous.

730. What I wanted to call attention to was this: there are what may be called "middlemen" (cattle-dealers, or cattle-jobbers), between the buyers and the sellers; and supposing you had a law that there was to be a warranty attached to the sale of cattle, lasting for a certain time, I want to know how you would meet this difficulty, that a buyer would have a remedy against the dealer or jobber, and that he would then have his remedy against the man whom he bought them of; how would you meet the difficulty that that sort of transfer of liabilities would occasion?—I presume that, of course, the cattle-dealer might have been deceived, and he would have his remedy with the farmer, no doubt.

731. You would allow the purchaser to come on the cattle-dealer, and then leave the cattle-dealer to come on the man he bought them of?—Decidedly; that is what they have done in Bavaria, and with the greatest effect. Professor Volkner of Munich, specially alluded to the value of these measures. He said: "We have pleuro-pneumonia as bad as you have got it in London, and in these places, and I insisted upon the cattle-dealers being responsible for so many days to our butchers; and whereas we were teeming

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ing with pleuro-pneumonia before, we do not get one case in a year now."

732. I want to go to some of the provisions of the Bill: Part I. Section 6. I want to take you to the case of a dealer who goes to Ballinasloe, or any other fair, and purchases a drove in entering, after they are affected with the disease, and then he trucks them, and, before he reaches the place where he hopes to sell them, ascertains that they are diseased. Do you think that it would be possible to enforce that regulation in that case; would not the loss to the dealer be so great that he would risk incurring this penalty, and sell the animals?—No. It is remarkable how that occurs nowadays. For example, a farmer sends up a lot of diseased stock to one of our Edinburgh salesmen; the Edinburgh salesman, when he has a customer come to buy this stock for store purposes, will say: "I cannot sell you that stock; it must be slaughtered at once." That occurs frequently.

733. I am not putting the case of a transaction directly between the farmer and the butcher or grazier, but where there is a middleman interposed; where a person has bought from one in order to sell to another, with no intention of either slaughtering or grazing himself?—If he incurs any loss he falls back on the person who sold him the stock.

734. Would such a provision be practically disregarded by these men; would they not rather incur the risk of the penalty than the loss which would acrue to them?—I do not think that they would run the risk of the penalty, because the trade is lucrative; they might lose one week and make another.

735. You think it would have the effect of making them very careful in their purchases?—Yes, of course.

736. There is another question with regard to another section; that is the detention of animals (Section 14). Do you not think it ought not to be in the opinion of the officer of the company, but in the opinion of any cattle inspector?—Quite so. I think that a qualified man should determine it; and, certainly, the railway company should be protected from any person sending diseased animals.

737. It is said by farmers that if this provision were left as it is a difficulty would always be made by the servants of the company for the purpose of getting some small gratuity; do you think that there is anything in that?—No. My experience for the past is this, that officers of companies have had occasionally orders not to send the diseased cattle, and that they have winked at the matter, and the cattle have gone.

738. Mr. *Thompson.*] With reference to the question that was asked you as to the size of the farms in Belgium, are you not aware that one part of Belgium is divided into large farms, and other parts into exceedingly small ones?—Yes, I am.

739. So that there are some parts where the country would be in a very similar position to our own grazing districts?—Decidedly. Some of the larger markets near Brussels are very large indeed.

740. In reference to railway travelling, the other day you said you believed rapid railway travelling was one of the most potent causes of disease throughout Europe; one of the most active causes in propagating the disease. I have no doubt you are aware that in carrying cattle by railway they are put into a truck, where they are closely confined, and that as a rule they are not taken out of the truck again till the end of the journey?—That is so.

741. In driving cattle to the market in the ordinary way, you must frequently have noticed that these droves are mixed very much one with another; and that on the road, and in the market itself, before they are put into pens, they are very much intermixed with one another?—Quite so.

742. Is it not your opinion, looking both at the time the cattle are on the road being driven, the number of opportunities they have of intermixing with other droves, both there and in the market, and also the fatigues and hardships they are exposed to in being driven long distances, that driving on the road is a much more fertile cause of communication of infection than travelling on railways?—Our experience is against that. Our experience is rather in favour of the system of driving them; my own special experience is. I believe that had you the cattle-trucks in a perfectly healthy and washed condition, I should rather send them by railway than drive them; but as matters have stood for the past, I have known, for example, one stock driven get to its destination healthy, and another lot of cattle have been mixed in one lot in the market; another section of that lot sent by railway, and reach its destination with the foot and mouth disease. I have known that repeatedly to occur.

743. Could that infection not have been communicated before they were put on the railway at all?—They were the same lot of cattle divided into two halves; one half sent by railway, and another by road. Those that travelled by railway were diseased, and the others sound. It is quite easy to get any number of cases in support of that fact.

744. Are you aware that great numbers of cattle are brought from fairs to railway stations to be carried to a number of other places?—Yes.

745. If there was proper inspection of diseased cattle at the fairs, or at some intermediate point between the fair and the railway station, would not the chances of infection being communicated by railway travelling be very much diminished?—No doubt it would be diminished in proportion to the extent of diseased animals.

746. You have recommended the washing of the trucks; are you of opinion that washing alone would be sufficient?—In many instances, I think it would (not that it is not desirable to have an antiseptic with the washing), and it can easily be done.

747. On the question of scabby sheep, I think you said that you considered washing the trucks would be sufficient, as a rule?—Yes. With regard to the foot and mouth disease, it would be very desirable to use some lime. I was speaking to one of our breeders yesterday, and he said: "I send many in horse-boxes. I have sometimes risked cattle-trucks, but then I have always had to wash it down with lime." And he has not had any ill effects; he has been very successful on that system. I am not prepared to state that merely washing with water will always be as good.

748. But if the railway trucks were purified by the use of water, is there any other mode of moving cattle which would be so free from the risk of infection as putting a certain number into a truck,

Professor *J. Gamgee.*

13 May 1864.

a truck, where they cannot move, so as to mix with others, and carrying them where they get fresh air, instead of being crowded together? —Yes. Of course it is the very best system which you can adopt.

749. In fact, it comes to this: that if trucks were washed, the conveyance by railway would be the healthiest mode of moving cattle, and least liable to infection?—No doubt of it.

750. You have not made any suggestions with reference to the inspection of cattle at railway stations?—No, I have not.

751. Your principle is rather to inspect them at the fairs and markets?—Yes. Lord Naas merely asked if, in the event of any animals being recognised as diseased, would you stop them? Of course stop them, wherever they are seen to be diseased.

752. You are probably aware that large quantities of cattle are sent up to particular markets in the large towns, especially London?—Yes.

753. And that it is a very great object to the owners of the cattle that they should be in time for that market?—Yes.

754. If they lose that particular market, it is a great loss?—Yes; quite so.

755. Perhaps you are also aware that these cattle arrive during a greater part of the year in the dark; that a large number of trucks arrive together at the station; that the doors are opened, and that they are all turned out immediately in the dark; do you think that any efficient inspection could be made then? It is a question of minutes whether they can be got into the market in time for that day's sale?—I do not think it would be possible, in the dark especially, to inspect them. Last year I had occasion to draw attention to that fact in regard to the cattle from abroad, that were landed at Harwich, I believe, at night, and brought along to London, and had no inspection whatever. Wherever there is any cause to believe that there is great danger from such a practice, I believe it should be stopped, as in that case of having a railway in communication with a foreign steamer, there is no means of examining the stock, because they come along during the night.

756. Mr. Alderman *Salomons.*] Supposing that they came late on Saturday night, would you keep them till Monday morning without being inspected?—If they came from abroad, I most decidedly should. They do now. If a steamer comes in at twelve o'clock at night, I believe, especially if late, they would not allow those animals to pass until they had examined them.

757. From Saturday to Monday I speak of?—They are examined constantly on Sundays now.

758. Is that so; are you sure of that?—I am certain; I have seen them do it; a lot were inspected last Sunday.

759. Mr. *Miller.*] I do not think you have answered Mr. Thompson's question very minutely with regard to the practicability of inspection on railway stations; because at railway stations, where they are liable to have cattle sent, how is it possible to have a corps of inspectors so numerous that the business could be done at every railway station?—It would be practically impossible. In relation to the transit of stock, if you have your eye on the disease in the country, you very soon know which way it is going, and the thing presents itself in a more practical aspect. Of course, where you try to develope every kind of impossibility in the matter, you will find a good many of them; but on the other hand, if we aim at doing that which is possible, we find that we can do a very great deal.

760. You do not know from having an inspection in the interior of the country, for instance, of all the diseased cattle; if diseased cattle are to be stopped *in transitu*, it must be at the railway stations they are to be stopped?—I hold it would be a very exceptionable case where such a thing would be.

761. Do you require to reserve the question to the station-master, or some one who knew nothing about the diseases of cattle?—I think it is clear that that should not be done.

762. With regard to the salvage, you have spoken a good deal about that. In the case of carcasses that have been slaughtered for disease, not fit for human food, can you state what, generally speaking, is about the proportionate value of the salvage to the value of the animal, supposing it had been killed in a wholesome state?—It varies very much. For example, in Edinburgh, I have known, lately, diseased cattle realise as much as 19 *l.* or 20 *l.*

763. I am not talking of that; I am talking of cattle that have been condemned by inspectors as unfit for human food. What is the relative value of that carcass to the value of the animal if it had been in a sound state?—It varies there again, in different parts of the country. In Glasgow they would not give more than about 8 *s.* or 10 *s.*; in other places they would give 15 *s.* There are two piggeries in Edinburgh. Lately, there has been a little competition. Formerly, the owner of the dead animal could never get 12 *s.*, and now he gets 15 *s.*

764. Is there any practice as to the disposing of the carcasses of animals which have been condemned?—I have specially drawn attention to that in the North. Now they have changed the system. In Edinburgh, formerly, they used to allow the manure-dealer to carry away the whole of the carcass in the raw condition, and very commonly they were thrown in their raw state to pigs to be eaten. Now they are boiled down.

765. Do you know the produce in money that would come for an animal worth about 20 *l.*, in boiling it down?—In London, where they have a good deal of cats' meat, and where they can turn everything to account, I have no doubt they would manage to get 15 *s.*

766. What would be the value of that which is boiled out of the carcass, in the shape of tallow?—I am not prepared to state.

767. Do you suppose the tallow would be productive of evil effects, after having been boiled down, and brought into the market, when the animal was diseased?—No.

768. Then, I think a good deal more value could be brought out of a carcass than you seem to think?—I thought you said what is being done. That is the point: for example, in Glasgow, I have here statistics of one large manure company which received during the year 1,046 horses, 207 cows, 49 calves, 40 ponies, and 12 asses. These are animals that have been sent to one manure manufactory during the year; and on an average, I should think, those animals have not fetched more than 5 *s.* or 6 *s.* each. They are thrown into large coppers, and then, I believe, sulphuric acid is used.

769. It is made manure of?—Yes.

770. I should have thought for tallow it would be

be more valuable?—Yes, no doubt. They skim the tallow. If they do in the piggeries, where they feed the pigs on the meat, they skim the tallow.

771. Mr. *Cox.*] Now I will commence with the dead meat. You have told us that an immense quantity of diseased meat is sold in London. I want to know something about it; do you know how much dead meat comes into London in the course of the year?—It is absolutly impossible for anyone to know.

772. You do not know?—No.

773. Do you know whether it is 100,000 tons, or 150,000 tons?—I know it is more than 150 tons.

774. I said 150,000 tons?—I cannot tell you at all. I know nothing at all about these quantities; it is impossible that anybody can know.

775. But I do know, because I have returns of it?—It is impossible to have returns of the diseased animals that have been slaughtered.

776. You do not know how much dead meat comes into London in the course of the year?—I do not.

777. Do you know where the dead meat is principally sold in London?—I know it is sold very generally all over London, from my own examination of the butchers' shops.

778. Do you know the place at which the great quantity of dead meat is sold in London?—Yes; Newgate Market and Aldgate, I believe, a great deal; of course the dead meat is taken principally to Newgate Market.

779. Is there a market called Leadenhall Market?—Yes.

780. Do you know whether Aldgate is in the City of London?—I do not know at the present moment.

781. Because in one of your answers you told us that a great deal of the diseased cattle was slaughtered outside the City, in Aldgate; Aldgate is in the City of London?—May I state that, in reply to the question the other day, I said I had been informed there were three slaughter-houses near Aldgate, where the animals were slaughtered; that these slaughter-houses had been removed beyond the boundaries of the City of London, because the inspection seems to be rather too severe for them.

782. Do you know how many slaughter-houses there are in the Metropolis?—I do not. I have the returns, but cannot give you the returns now. I have the returns of the different parishes.

783. You cannot tell the Committee how many slaughter-houses there are in London where meat can be purchased for the butchers; you do not know that?—I cannot, off-hand; I know there is a very large number of private slaughter-houses.

784. What do you mean by "a very large number"?—I should be most happy to bring the statements I have at home. I have carefully collected them from the different parishes, and I shall be most happy, next time, to give you the exact number. I can give you the number, but not at the present moment.

785. You do not know it?—I do know. I have taken the trouble to go to each district vestry, and obtain the returns of the number of slaughter-houses and dairies, and I have seen that the number of slaughter-houses in London is far too large.

786. That is your opinion?—I have seen them. I know that they cannot be inspected on the system carried on at the present time, and in that opinion I know others participate.

787. Do you know that there are any slaughter-houses other than private slaughter-houses in the Metropolis?—I know the slaughter-houses at Copenhagen Fields.

788. Is there any inspection there?—There is a veterinary inspector, but I am not aware that he specially inspects the slaughter-houses; I have not seen him do it. I believe it is his duty to inspect the cattle exposed for sale in the market.

789. I gather from the evidence you have given before the Committee, that you would desire to place the trade of London precisely in the same way as the trade in Paris; would you propose that we should abolish private slaughter-houses in the Metropolis?—Every single private slaughter-house.

790. And have an abattoir?—And have four or five large abattoirs.

791. With inspectors?—Decidedly.

792. Appointed at each of them?—Yes.

793. That is what you propose?—Decidedly.

794. Would you propose also that there should be inspectors appointed to examine every atom of meat that comes in from the country?—Of course every kind of meat should be seen. My great aim with regard to the whole question is this, that by prevention of disease we should prevent the traffic in diseased meat.

795. I will keep you to the meat for the present; we will go to the cattle presently. You told us just now that in Paris every atom of meat that came in for sale was inspected?—Yes.

796. Where?—At the *halles;* the special dead-meat markets, and it is at the dead-meat market that it is inspected.

797. Do you or do you not know that a large quantity of meat comes into Paris which, paying the octroi duty, goes straight to the butchers' shops?—There is a law at all events, whether it is evaded I cannot say, but there is a law by which that meat must be subjected to inspection at a special place. The number of butchers is laid down, and the whole trade is under stringent regulation.

798. Do you then make a distinction between the receiver at the gate of the octroi duty and an inspector?—Yes, decidedly.

799. This collector of octroi duty at the gate in Paris is not the inspector you refer to?—I believe not. I am not aware that they inspect it at the octroi.

800. Mr. Alderman *Salomons.*] Is not the butcher's trade a monopoly in Paris; are they not restricted?—Yes; there are regulations in regard to that.

801. The question I ask is whether the trade of a butcher is not limited at Paris; it is not a free trade?—Not altogether limited. They limit the number in the country like we somewhat limit the number of publichouses in some parts.

802. I ask whether in Paris it is not a trade limited by the municipality, so that everybody cannot be a butcher; it requires permission from the authorities to open a butcher's shop?—It is so; they are licensed.

803. Mr. *Cox.*] Do I understand that there are inspectors of meat coming into Paris other than the receiver of the octroi duty at the gate?—Yes.

804. Do you tell the Committee that the meat killed outside, and brought into Paris after paying

Professor *J. Gamgee.*

13 May 1864.

octroi duty, goes to an inspection and is liable to be destroyed?—I believe it is. I have not been in Paris now for the last eight or ten years.

805. I did not interfere in your examination by the other gentlemen of the Committee, but I desire you to give me information from your own knowledge; I want evidence, not what anybody has told you. Do you know whether or not dead-meat brought into Paris undergoes any other examination than the inspection of the receiver of the octroi duty at the gate?—I know that the whole of the meat sold in Paris is under inspection.

806. *Chairman.*] Under any other inspection than that at the octroi?—Yes.

807. Mr. *Cox.*] Do you mean to tell the Committee that after the owner of meat has paid octroi duty at the gate, that meat is liable to be destroyed and the man robbed of his property?—If they found diseased meat they would seize it.

808. After it has paid the octroi duty?—I believe so. So far as my information extends, it is so.

809. Now, I will go to cattle: do you mean to tell the Committee that cattle have been landed at Harwich and brought on to London without inspection?—I did not say that at all.

810. I understood you to say when cattle arrived in the night (and boats do arrive in the night), it could not be inspected, but came straight on to London without inspection?—There appeared a letter in "The Times" last summer in which the statement was made.

811. Do you know it as a fact?—Yes, I know it is a fact, that animals did arrive here, if inspected at all, inspected at night.

812. You were there and saw them?—No.

813. Then somebody told you?—I was not there.

814. You told us that the cattle in Spain and Brittany were the most healthy?—Yes.

815. How is it with Portugal?—I presume they are just as healthy as Spanish cattle, so far as I have seen them.

816. You gave the Committee a good deal of information about the precautions taken in Prussia and Holland for the prevention of disease?—Yes.

817. How do you reconcile that with what you told us the other day, that in Prussia and Holland they had the largest quantity of disease?—Quite easily: Prussia and Holland are in great communication with trade, and it is extremely difficult to keep disease back when they have found that, throughout all time on continents, the maladies travel so rapidly, and so readily, that it is difficult to limit them, and our circumstances here are far more favourable; we can circumscribe our country far better, and keep the disease out far better.

818. How do you account for Prussia and Holland having the largest quantity of diseased cattle, when you have just now told us that the precautions taken at the frontier prevented any diseased cattle coming?—From their proximity to plague-breeding districts.

819. I am not talking of plague?—The loss arises from that; that is the cause of the loss.

820. Then, am I to understand that the disease to which you refer was not the foot and mouth disease?—Yes; and pleuro-pneumonia; these are the plagues.

821. I thought it was the Russian plague?—And the Russian plague; but there is no Russian plague in Holland. I refer to the pleuro-pneumonia in Holland, prevalent in Friesland, and North and South Holland.

822. *Chairman.*] By the word "plague," you mean more than the Russian plague?—Yes.

823. Mr. *Cox.*] I have omitted one question about the meat; do you know whether in the inspection of the meat which takes place in Paris with animals dying from the foot and mouth disease, or having foot and mouth disease when they are killed, that then the law as to the exclusion of that meat does not apply?—It does not apply. They have very considerable powers over them.

824. But in Paris they do not consider that an animal who has foot and mouth disease, being killed, it renders the meat unfit for human food?—As a rule, I believe they have that belief. With regard to pleuro-pneumonia in Paris, they sell the diseased animals separate; they take very great care at what stage they are sold.

825. *Chairman.*] Would they do that with respect to animals that died of foot and mouth disease, in a very reduced state?—If they had them in a very reduced state they would not let them go at all. That is one of their special rules, that wherever there is much emaciation the meat shall be condemned.

826. Mr. *Leader.*] Is the foot and mouth disease excepted in the regulations?—Yes. It is not excepted with regard to contagious disorders, it is with regard to the slaughter of meat.

827. Mr. *Cox.*] You have told us that if any cattle suffering from foot and mouth disease were amongst a quantity of sound cattle, you would recommend the removal or separation of the diseased?—Yes.

828. I want to see how you would carry your theory practically into effect. Take this case: a case coming within my own knowledge. A man starts from Suffolk with 600 sheep, intending to take advantage of the fair at Colchester, to get rid of as many as he can, to go on to Chelmsford to get rid of as many as he can there, to go on to the market at Romford (with all which places I suppose you are acquainted); and, having any left there, to go on to the Metropolitan Cattle Market. He arrives at Colchester. You have told us the driving of sheep would be likely to bring out any latent symptom that there might be of foot and mouth disease. He finds, when he gets to Colchester, that 50 are diseased; what sort of regulation do you propose to make to carry that theory into effect, that these should be taken away?—I said, with regard to that special case, I should insist, for the protection of other stock, that these animals should be forthwith dressed; and, if necessary, put aside.

829. His 50 are to be put aside; he fails in selling them in Colchester; he comes on to Chelmsford, and 50 or 60 more he finds have the foot and mouth disease; what do you propose to do then?—Wherever I saw an absolutely diseased stock, I would take great care that that stock should be kept by itself; I would do whatever was practicable in the matter.

830. I am endeavouring, practically, to follow your theory to the effect. He arrives at Chelmsford, and 50 or 60 more are found to be bad; what is he to do with them; put them aside too?—When I spoke of putting aside I merely said, with regard to the direct management of the stock, let them be sold; but let them be sold so that they shall not contaminate other stock: that

is what I stated distinctly in the other day's examination.

831. *Chairman.*] Suppose they could not be sold, what would you then propose?—That they be at once treated, and within a day or two they would be all right.

832. Mr. *Cox.*] Then, being at Colchester with 500 or 600 sheep, and 50 of them being found to have the foot and mouth disease, he shall wait for two or three days with the whole of his sheep while the 50 or 60 are being dressed?—If it is at all possible to dispose of them then, by all means let it be done.

833. *Chairman.*] Mr. Cox's question assumes that it would take two or three days to dress 50 or 60 sheep?

834. Mr. *Cox.*] No; he said he would have them dressed, and in one or two days they would be all right?—Yes.

835. The man having got to Colchester, and having 50 say with the foot and mouth disease, do you propose that he should remain there with the whole of his stock while the 50 were being dressed, and being in fact cured?—I am not aware of a single instance in which such a case could operate.

836. I want the Committee to see that you do not know anything about it, and have not any instance. I will assume now that we stay at Colchester and cure our 50 or 60 that are bad, and I will come on to Chelmsford; is the same thing to happen there again, and at each place?—It would not be likely to happen over again.

837. You told us that the traffic would be likely to bring out the latent disease?—I said that it was by traffic and by driving that the malady was caught. If these markets were kept clean they would not get the foot and mouth disease, that being a contagious disorder.

838. In the case I have put to you, and in which I want to see how you are to carry out your theory, it matters not where the disease is caught. A man takes 500 or 600 sheep, purchasing at different places, meaning to take advantage of the four markets I have mentioned, I want to know how you would propose by Act of Parliament to carry your theory into effect. He arrives at Colchester on the day before the fair, or the fair-day, and he finds that there are 50 of his sheep with the foot and mouth disease; by Act of Parliament, what do you propose to do?—I propose to stop and to cure those sheep. I have myself visited counties in England where sheep dealers have done precisely what you stated with regard to scab and other diseases, and they have gone on propagating it from day to day till the last day they have travelled, producing an enormous amount of loss.

839. Then he shall leave at Colchester the 50 that are diseased?—He shall leave the whole of them; he shall have them all taken care of.

840. The whole flock?—The whole of them, most unquestionably; have a separation if you can; for example, I know instances of a lot of pigs.

841. Let us clearly understand it as we go. Do you mean to say of Act of Parliament, if a man with 500 sheep arrives at Romford Market or Colchester Fair, and 50 of them are diseased, the whole 500 shall be stopped?—To the extent of having them dressed, with the view of preventing the propagation of the disorder, as I stated before.

842. Do you mean to tell the Committee that if a man with a flock of 500 sheep, has 40, 50, or 60 diseased, that you would by law stop his driving the whole flock another yard?—Yes, I should insist that he did not infect other animals by his own.

843. Would the 450 be likely to infect?—They would, because they would be sure to take the disease, if it is the foot and mouth disease. At all events, if the animals are separated, and something is done to the stock, you may arrest the progress of the disease, but if you do nothing you are sure to have it.

844. Mr. Alderman *Salomons.*] Suppose one sheep, or five sheep, out of 500, have the foot and mouth disease, and it was just found out amongst them, do you think that that could affect the whole 495, and that the whole of the flock should be stopped?—Yes, it will run through the whole of them; it is a very quick thing; it is a matter that will not affect them very much, if it is taken care of, but if not, the sheep will suffer enormously, and spread disease wherever they go. For the past, it so happens that the case of sheep has been very rare indeed; it has been more with pigs. With regard to Gloucestershire, there was a report of pigs purchased at Birmingham or Cheltenham, that were taken on to a farm there. If those pigs had been stopped and dressed at Cheltenham, thousands would have been saved to the farmers in Gloucestershire, where they were taken, and evidence can be brought of some farmers, who, through that drove of pigs, lost enormously, several hundreds each farmer.

845. You would mean to say this; if those 500 sheep got to the very edge of the market, and five amongst them had the foot and mouth disease, you would stop the whole; is that what you say deliberately?—Yes, I say that deliberately; I had to do it with regard to smallpox.

846. Mr. *Cox.*] You told us that, according to your theory, if there was a railway carriage with cattle, and there was in the first truck an animal with the foot and mouth disease, that it would infect the whole?—No, with pleuro-pneumonia.

847. Well, with pleuro-pneumonia it would infect the whole?—I did not say it would infect the whole; I said it was a reprehensible practice, and it might affect the others.

848. I understood you to go further than that; my question would be then: would you in such a case as that propose to stop the whole of the cattle?—No, I should not; if the regulations were carried out that are intended, you would not have such cases occur.

849. Intended by whom?—By proper inspection over the country.

850. No; you say the "regulations intended?"

851. *Chairman.*] Regulations intended by the Bill, I presume?—Yes.

852. Mr. *Cox.*] What do you propose the Bill should do in a case of that sort, in a train with a great number of bullocks, and some three or four of them diseased, what would you propose to do?—I would not allow a single animal with pleuro-pneumonia to be driven, and I should take very great care that any stock infected with pleuro-pneumonia should be stopped at once, and slaughtered wherever it was.

853. What would you do with the others?—With the animals that had been mixed with the diseased ones.?

854. Yes?—Most decidedly kill them.

855. You would stop them then and there?—Yes;

Professor *J. Gamgee.*

13 May 1864.

Yes; wherever pleuro-pneumonia appeared amongst stock.

856. Do you know how many head of cattle come to the Metropolitan market on a Monday?—I do.

857. How many?—I am not prepared to give you the number at the present moment; I have constantly seen it.

858. Do you know where they come from?—Yes, all parts of the country; it is divided into the divisions.

859. Let me see whether you know; you are here to give evidence; I want to see what your knowledge is; where do they come from; we will take it at somewhere between 4,000 and 5,000; where do they come from?—You have Scotch stock, Irish stock, stock from Norfolk, from the Birmingham markets and the Manchester markets, and all those places coming to London.

860. Upon an average, how many come by the Eastern Counties Railway?—I cannot give you those numbers; it is impossible; I know that there are large numbers, and I have had regularly the statistics under my eyes.

861. I will now assume a case, that there are 1,000 to 1,500 of these cattle coming by the Eastern Counties Railway; do you mean to tell the Committee that in case there were one or two cases of disease among those cattle, you would, by law, stop them at Cambridge, or elsewhere?—It is quite an impossible case; I should not.

862. It is not an impossible case?—1,000 or 1,500 animals never are together.

863. I know that they are coming by three, four, and five different trains, or perhaps eight or nine. In each case there are one or two animals with pleuro-pneumonia. You have told us, as I understand you, that the moment that train stopped at Cambridge and it was discovered that there were one or two diseased animals you would stop the whole?—I stated that the whole thing is perfectly impossible, never has occurred, and never will occur, and it is impossible to have such a case as 15,000 animals from different parts and everyone of them affected in that way.

864. I did not say everyone of them; if you will not attend to my question, I am sorry. I said take 4,000 or 5,000 coming to the Metropolitan Cattle Market on a Monday; I would assume that there were 1,500 coming from the Eastern Counties, and they may come in seven or eight different trains. According to your suggestion, if in each of those trains there should be one or two cattle affected with pleuro-pneumonia wherever that discovery was made, you would stop the whole?—No, certainly not; it is impossible to put it in that way.

865. Colonel *Barttelot.*] There is a train coming with six trucks of cattle, and in one of those trucks are some diseased cattle, what would you do?—I should most decidedly stop the diseased cattle.

866. The one truck with the diseased cattle?—Yes.

867. And leave the others to go on?—I believe it would be impossible to do anything else.

868. Mr. *Cox.*] Am I to understand that in the case where there were one or two diseased cattle you would allow the others to on to market?—Decidedly; you cannot help yourself; you would decidedly.

869. Although these two or three may be the cause of spreading the disease among all the cattle in London?—But they would never have done so; it is impossible it should occur in the transit of animals in that way. Wherever disease occurs, the separation of diseased stock at once is one of the best precautions against the disease spreading.

870. Well, now about the cattle that come from Scotland and Ireland; your words were "a considerable proportion of the cattle from Ireland is diseased," where do you get that from?—I must look at the context.

871. Those are your words, as I took them down: "A considerable proportion of the cattle from Ireland is diseased." Do you mean to say so?—There are diseased animals come across from Ireland.

872. *Chairman.*] This is my question: Is there a considerable proportion of diseased cattle arriving, for instance, from Ireland?—I should think there is not very much more arriving from Ireland than any other place. There are more diseases in Ireland, and so there must be more diseased stock come over.

873. Mr. *Cox.*] I want the witness to tell us how he knows that?—From having been in Ireland, from having been in Liverpool, Glasgow, and other places where Irish stock arrives.

874. How many times have you been in Liverpool when Irish stock has arrived?—I believe three or four times.

875. In how many years?—Within the last five or six years.

876. Then the evidence you gave of a considerable quantity of cattle coming diseased from Ireland is the result of three or four visits to Liverpool in three or four years?—Yes, and other ports. My inquiries have not been restricted to Liverpool. I have seen a great deal come to Glasgow, and a great deal directed to Edinburgh and London. I should think I have been 20 or 30 times to where the boats from Ireland arrive here. I saw some the other day come in very healthy.

877. How many times altogether, as far as you can judge, at those three or four places, have you seen cattle arrive from Ireland?—I have seen thousands arrive, at different times.

878. How many times in the course of the last two or three years have you seen cattle arriving from Ireland that enables you to say that a considerable portion comes diseased?—I should think 500 times, one way and the other; at Edinburgh, Glasgow, and all the places put together. I have seen them so constantly, regularly, and systematically, that it is impossible to put a limit. It is a matter concerning which I have every day knowledge. I have a large amount of stock brought into Edinburgh direct from Ireland.

879. What is the disease which cattle coming from Ireland are principally affected with?—In many parts of the country we have pleuro-pneumonia breaking out amongst the stock brought from Ireland, and in other places they very often have a large amount of foot and mouth disease, owing to the infected condition of our trade all over the country, and a want of proper attention to the animals.

880. You have told us that pleuro-pneumonia made its appearance in 1842 in this country, and in Ireland before this; you thought in Cork it was in 1839, and that the foot and mouth disease also made its appearance in 1839; that is so, I suppose?—Yes.

881. You told us that the average loss was 5 per cent. in Scotland, 7 per cent. in Ireland, and 6 per

6 per cent. in England?—Yes, as nearly as we can get it.

882. Can you tell us anything about what the per-centage of death in cattle was before 1839?—I can scarcely tell you, I cannot from my own personal experience; but I can from our history of disease in this country, and from the early history of insurance companies; they started, thinking that they were going to cover their loss at 2½ per cent., and they found that they had to raise and raise and put on restrictions, and then they became bankrupt. At the present day, exclude these plagues, pleuro-pneumonia and foot and mouth disease, and the loss in this country is very trifling indeed.

883. There were no other diseases?—Of course, plenty of diseases.

884. Which have since disappeared?—No, they have not.

885. Was there a disease before 1839 and 1842, fatal to cattle, which has since disappeared?—Last century we had the Russian plague.

886. *Chairman.*] Perhaps you can suggest a disease?——

887. Mr. *Cox.*] No, I only want to know Mr. Gamgee's knowledge?—I think I am pretty well armed with information as to the nature of diseases in this country for many years past. All I can say is, that I have most anxiously striven to ascertain the fact all over the country; and I am not aware of any special disease having disappeared.

888. At what do you put the per-centage of death from 1839?—About 1½ or 2 per cent. over the country.

889. That is against 5, 6, and 7?—Yes.

890. Colonel *Barttelot.*] You have been asked so many questions, that I shall trouble you with very few. You stated that there were both large and small farms in Belgium?—Yes.

891. Surely there are a great many more small farms than large farms?—I am not prepared to state whether more or less. I know that I have seen stocks to the extent of 300 and 400 cattle; and I have seen some of the finest and largest fairs in Belgium.

892. In what part of Belgium?—The large fairs are close to Brussels. I have travelled all through Belgium, in various parts: for example, I was in Brussels and Antwerp, and have been to Ghent, and to a place there, I forget the name at the present moment, where there is a large fair. I have the matter marked out in a map

893. It is in the neighbourhood of Malines, is it not?—Yes.

894. Between Malines and Antwerp are the farms large or small?—There are a great many small farms.

895. All small farms, are they not?—I think so.

896. What do you mean by small farms?—Somewhere 30 to 50 acres.

897. Would not 25 acres be an average-sized farm?—Very likely.

898. Mr. *Cox.*] Do you know?—I do not know.

899. Colonel *Barttelot.*] We will take France; what is the size of the farms in France?—There are some very large ones and some very small ones.

900. In what preponderance are the large farms to the small ones?—I am not prepared to answer that question.

901. Out of 100 farms, is there one large one?—I should think so; I cannot tell you. There are many large farms, and I have attended many large stocks there.

902. You cannot tell me?—I can tell you that I have been on large farms in France repeatedly.

903. In the neighbourhood of Poissy, the large cattle-market near Paris, are not the farms, with one or two exceptions, very small?—I cannot tell you now, for I have not been to Poissy for the last 10 years myself.

904. Supposing the farms are small, would not the supervision of cattle be very much more easy than if the farms were large?—In proportion to the smallness of the number of cattle, of course, the matter must be relatively easier; but I hold that the markets of France are not more easy to inspect than the markets of England.

905. If the cattle come in in small numbers to those large markets, surely they are much more easy to inspect than if they come in in large numbers?—Yes; no doubt about that.

906. You stated that the largest amount of disease is in Prussia?—And Austria. Austria suffers enormously, too.

907. And that the Prussians are most strict in their inspection of cattle coming into their country?—Were they not, they would be totally destroyed. There is no doubt about that.

908. One other question as to that; are they equally strict with regard to cattle that go out of their country?—No, they are not equally strict.

909. Do you not think that if they are so strict with regard to cattle that come into their country, they ought to be equally strict with cattle that go out of their country?—They are, so far as the stock is concerned. If the stock is going across the frontier, they do not stop it going out of the frontier. It is supposed to be done in Holland. I have been to Rotterdam, Amsterdam, and other ports, where it is said that they are subjected to a serious inspection. I deny the seriousness of that inspection. I have only seen it practised in one place, and that is Rotterdam. The cattle-dealers are not likely to let very apparently diseased animals on, because it would only lead to their condemnation.

910. At this Prussian inspection on the frontier, you state that the inspector seized or rather detained the cattle?—Decidedly.

911. And that he held them, as it were, till he was satisfied that those cattle were sound?—Yes.

912. But supposing the cattle were unsound, did he order them to be destroyed, or were they permitted to go back from whence they came?—They might go back, of course.

913. Now, we will go from that to the pleuro-pneumonia disease. You stated that you thought that the seller in every instance ought to be made answerable for the cattle he sold for a space of three weeks, provided it broke out during that time?—Yes.

914. Now, I must take you through the south country fairs. We are rather peculiarly situated in the south country, in Sussex, Hampshire, and Kent, and all that district. We have a very large quantity of cattle that come from Ireland, a very large quantity of cattle that come from Devonshire, and from Wales?—Yes.

915. Is it within your knowledge that the same salesman very often has from 100 to 150 head of cattle from each of these places?—Yes.

916. Is it also within your knowledge that these cattle are consigned to him perhaps perfectly

Professor *J. Gamgee.*

13 May 1864.

sound from Ireland?—Decidedly. At all events apparently perfectly sound.

917. That they arrive in this country, in England, perfectly sound?—Yes.

918. That on their road up to the south country fairs, they are joined by these other cattle which the dealer has bought?—Yes.

919. We will say that they arrive at Chichester market?—Yes.

920. That as they are going into Chichester market, having been consigned to one man by several people, pleuro-pneumonia breaks out. I want to know how you would deal with those three distinct herds of cattle which have come from three different places, which have been consigned to one man?—You must exclude the diseased animals, and if you do that, which is sufficient, you prevent the exposure of the diseased animal.

921. Would you stop the whole of those cattle from going into the market, or would you merely stop those cattle that you think appear to be diseased?—Those are the only things you can do, but it is a different case from the foot and mouth disease altogether. You would have to separate the animals that are diseased.

922. Then you would allow the remainder of the herd to go into the market?—I should strive as much as possible to exclude the infected stock, that is to say, the stock from amongst which these animals appear to be diseased.

923. Mr. *Cox.*] What would you do by law?—Stop the diseased animals.

924. Only?—That is the only thing you can do. It is an unfortunate thing that you cannot do more.

925. Colonel *Barttelot.*] I am at Chichester Market, and I buy 40 of these animals; three weeks after I got home, I find 10 of them with pleuro-pneumonia; how would you propose that I should recover from the man I got them of?—That you simply should recover, if he knows that these animals are affected with pleuro-pneumonia. I know from my own experience, with regard to cattle-salesmen in Edinburgh, whenever they have known that they have had stock which has had the disease, they came on the consumer for the full damage done to the stock, and he was not told that the stock was infected. I have known instances, for example, in the north, where stock has been consigned to a cattle-salesman, and the animals have had pleuro-pneumonia amongst them. They have been kept distinctly separate, as far as possible, and have been sold for slaughter, and not put near store stocks that have been sent to farmers.

926. Mr. Alderman *Salomons.*] That is not the case?—I believe so. I wish to refer to the special case, where the cattle-dealer received stock from a number of persons, and only one of the lots of cattle were afterwards shown to be diseased. Now, it so happens, that the person to whom stock is consigned is very generally, and should be under all circumstances, acquainted with the nature of his consignment. I have known that class of cases; and I have seen the stock from the infected herds kept separate, and sold to the butchers.

927. Colonel *Barttelot.*] I have excluded those few cattle which appear to have the pleuro-pneumonia; but you have also stated that the disease may be in an incipient state for upwards of 40 days?—Yes, the period of incubation.

928. Then I ask you, the dealer, perfectly *bonâ fide* selling me the cattle, believing them to be perfectly sound, the incubation being at that moment going on, and he knowing nothing about it; and I, having the cattle for three weeks, what right have I to recover from that man?—But he has a right to recover from the man who has deceived him.

929. Mr. *Cox.*] There is no deceit?—Yes, there is deceit; it is done abroad, with the very best effect.

930. Colonel *Barttelot.*] Let me go one step further. We all know the nature of this pleuro-pneumonia disease. Supposing that from this large herd which I have mentioned, you pick out six head of cattle. Do you mean to say that, by lotting them out you would not spoil the sale of the rest?—By picking out the diseased?

931. Yes?—I should very materially improve the sale. That is what they do constantly.

932. What I mean is this: you must recollect that these cattle have come under your inspection from the herds consigned to one man, and by your inspecting them, and saying that some of them are diseased, will you not make the people in the market cautious about buying them?—Yes, very likely; and it is very right that they should be made cautious.

933. There is a very large quantity of cattle coming in in this sort of way. If that happened three or four times would you not prevent these men from embarking in that trade at all, and so stop the supply coming to our market?—It has not had that effect in times past.

934. Mr. *Cox.*] We have not had such a law?—We have had such laws abroad, and it has never done any such thing.

935. Colonel *Barttelot.*] Do you not know that abroad an Englishman and a Frenchman, or an Englishman and a Prussian, are very different animals?—I have no doubt; so they are at home, I believe.

936. I mean that the nature is different, that we should not like to stand restrictions which they stand very quietly and very tamely abroad?—But you will have to suffer from not having some of the restrictions.

937. I merely ask you whether that would not be the case?—No. I believe that the feeling of Englishmen would be, as in every other case, to work in accordance with the law, and to aim as much as possible to put down disease in the country. I know it is the feeling in many districts.

938. We all admit that it would be a good thing if it could be done?—I do not want to hurt anybody; I am most anxious that disease should be prevented as much as possible, and as for the past, we have had nothing, let us see if something cannot be done.

939. *Chairman.*] Do you think, in a free country, diseased cattle ought to circulate as freely as other men and things?—Of course not; there should not be free trade in disease.

940. Colonel *Barttelot.*] We will go to the foot and mouth disease. You say that whole cargoes come across sometimes from Ireland with the disease?—Yes, I believe so.

941. Do you think that drift has anything to do with it; does drift bring on the disease?—In many of these cases they have caught the disease in the steamboats. It is not as the result of overexertion in walking, it is a question of catching it.

942. I wish to put a case which happened to myself: I bought a lot of calves in Devonshire,

shire, and a friend of mine bought a lot also; they came up in the same train together, and they were separated at Chichester; his went to his own place, mine were driven home; his never had the disease at all, and the whole of mine had it when they arrived?—That often happens. It just refers to what I have said all along with regard to separation and disease: a certain number may be seized with the affection.

943. One thing with regard to milk; if you boil the milk of cows with foot and mouth disease, does not that stop entirely any injurious effect?—The boiling does kill almost all those poisons. I heard, with regard to an animal having foot and mouth disease, of a batter-pudding being made with the milk. I have never seen such a case, but it occurred once in Edinburgh. As a rule, I should say it does kill the poison.

944. Mr. *Cox.*] Where did you get this gossip about the batter-pudding?—It was a case that occurred near Edinburgh.

945. Tell us something about it; who told you?—I simply state that my own conviction is that cooking kills that poison, as it kills other poisons.

946. Colonel *Barttelot.*] Let us go down to the south country fairs again, with regard to sheep; do you know the fairs at Burford and Wey Hill?—Yes.

947. Alresford and Wilton?—Yes.

948. You know that from 80,000 to 100,000 sheep are penned there?—Yes.

949. You know that there is a considerable amount of cattle in some of them?—Yes.

950. And a great quantity of horses?—Yes.

951. Did you ever know a horse having the foot and mouth disease?—Yes.

952. Often?—Not often. It is very rare. I have had some cases reported to me lately even in the country. People were rather astonished at that. I have seen them. I do not wish to misdirect you in the matter at all.

953. What I want to know in a practical way is what sort of inspection would you have at these very large fairs to prevent either diseased sheep or diseased cattle coming in?—Just such inspection as we had in 1852 on the occasion of the smallpox. That inspection was carried on perfectly well. I remember Professor Simmonds was at Wey Hill; we had veterinary surgeons from Salisbury. A stock was at Devizes, and it was telegraphed to me and the whole stock was prevented going into the market. There is no necessity for a Professor Simmonds. The two gentlemen with him are perfectly competent. I forget whether it was Wey Hill or Walton, but it was near Salisbury. I remember I telegraphed to the mayor of Walton, because I found a farmer had sent off a flock. He had killed two animals with smallpox and buried them, and sent away the infected herd.

954. Supposing ordinary or at any rate proper precautions were taken in cleansing the steamers, railway trucks, and markets where these cattle stand, could not nearly the whole or at any rate the greater part of the disease be prevented?—Decidedly, of course it would, and everything would be far more manageable; at present everything is very unmanageable, because there is such an enormous amount of disease; when I first strove to draw attention to these preventive measures, I was met by saying, there was no disease, and then afterwards that there was so much disease you could do nothing.

955. Instead of being so particular with all the cattle, if you were to be particular to see that cleanliness was particularly attended to, would not that have a much greater effect than all your precautions with regard to cattle coming into the markets?—I quite agree that it would have an enormous effect, but I would combine the other with it.

Professor *J. Gamgee.*
13 May 1864.

956. *Chairman.*] You think if this cleansing were to take place the difficulty of inspecting at fairs would not be very great because it would be so much reduced?—Yes.

957. Mr. *Cox.*] You told us about an ox being killed in Haddingtonshire, and that entrails were given to pigs and the pigs died, were those entrails cooked?—No, raw, I have known cooked meat have the same effect.

958. Is it your opinion that the meat from that ox after having been cooked would have been injurious?—It would most probably kill a man; that is my firm belief, and it is my firm belief that many animals with splenic apoplexy have killed men.

959. But not with foot and mouth disease?—No.

960. That is the disease known under the head of anthrax?—Yes; I believe with pleuro-pneumonia they have suffered enormously, and it has just turned the balance between life and death with some people.

961. Mr. *Cox.*] You think the cooking of meat has not the same effect on that meat as the boiling of milk?—It has often, but not always. The surface of the meat gets coagulated, and unless you have a thorough cooking of the interior, if any juice remains at all, or any appearance of blood, you have a poison perfectly capable of communication.

962. You would recommend us, in the metropolis, to have our meat all well done?—Yes, I would, I can assure you.

963. Mr. *Algernon Egerton.*] One question with regard to the pleuro-pneumonia; are there any after effects of it on the animal?—Sometimes.

964. Secondary symptoms, in fact?—There are instances, for example, where there is a portion of the lung that has become separated and dies, and cavities form there. I have seen, for example, that an animal was apparently perfectly cured, and then there has been an exudation in the chest in the pleura. That has become fœtid, and abscesses have formed outside, and the animal has at last died.

965. The disease is not at all hereditary?—No.

966. It is not inherited by the calf?—No; abroad they have a sort of notion that calves born of these animals are free from the disease. There is no greater mistake.

967. Mr. *Leader.*] Do you know the precautions taken in Switzerland?—Yes.

968. They are very strict there?—Yes. I know Professor ——— very well, and I had a conversation on these matters with him when in Hamburg. I spoke of our not having any sanitary measures, and they looked on it as a perfect disgrace.

969. Mr. Alderman *Salomons.*] I am going to ask you one or two quiet questions, and do not wish to take you into any depth of science. You are of opinion, as I gather, that one of the ways of preventing the spread of disorders in live animals would be that you should have an

Professor *J. Gamgee.*

13 May 1864.

inspector appointed to every market?—For a contagious disorder, decidedly that is one means; but I would adopt another one if I could, of ascertaining, as far as possible what these diseases were, and suggesting preventive measures.

970. If the fact of there being an inspector attached to every market were known throughout the agricultural world, would it tend to diminish the number of diseased animals sent to the market?—Decidedly.

971. Now, I want to take you to the question about diseased meat, and so forth; is there any great difficulty in determining, if a diseased animal were slaughtered, whether it is fit for human food or not?—There is a great difficulty when you see the flesh and nothing else, as in this country. In Edinburgh, they only look at the carcase, and never think of the internal organs. They get the butcher to dress it as clean as possible, to polish it up, and then they look at the flesh.

972. From your own knowledge, when you see meat dressed by an ordinary butcher, is there a difficulty in saying whether that animal was, or was not fit for human food?—In some cases not a little, and in some cases great difficulty.

973. When you see quarters of an animal of that kind hung up, how do you determine whether it is or is not fit for human food?—In some cases you cannot at all determine; in other cases you determine it from the colour of the flesh; from the consistence of the flesh, from the rigidity or softness of the flesh, and then from the microscopic appearance of it; with regard to pigs it is proved now absolutely that there is only one way of getting an efficient inspection, and that is by the microscope.

974. I believe in London we have a very rigid inspection; how does an inspector, not a scientific man, an ordinary inspector, who goes round the markets seeing the meat exposed for sale, judge whether it is fit or not fit for human food?—Of course they have their own sign about physicked meat, and wet meat, and black meat; it is principally a question of colour and consistency; there are certain diseases which, of course, he sees, for example, the hydatids in measly pigs.

975. I did not speak of pigs?—He examines the ribs and sees if there is any exudation, and moreover, in cows he examines the region where the womb has been, and very likely it may have some evidence of disease.

976. I am speaking of the dressed animal, the meat exposed for sale; can a man readily tell whether that meat is unfit for human food?—If you ask me can he declare whether that meat is poisonous? in the majority, of cases he is not in a position to state; he cannot positively say, that is to say, a diseased animal may be eaten with perfect impunity, but he will be able to tell that it is the meat of a diseased animal by the blackness and dryness of the flesh, the absence of juiciness, or, in other instances, by the large quantity of water in it.

977. That is being wet?—Yes, and the bloody character of the meat.

978. Would he readily be able to know that an animal had died of pleuro-pneumonia?—Yes, if he had the whole animal—if he had the ribs and chest to examine, but not if he had not that. It might have died from any other disease.

979. Do you think it quite possible if he had the hind-quarters of two animals coming out of the same herd and known to have died of pleuro-pneumonia, the one would have been condemned and the other not?—Of course, and it happens every day.

980. Then there are no certain means of telling whether the meat of a diseased animal is fit for human food or not?—There are cases of great difficulty and there are cases that are easy.

981. I want to ask you a question with reference to your answer to Question No. 352. Do you not think that by a regular authorised inspection of animals you could fairly tell whether they died of disease or not?—Of animals that are killed?

982. Yes?—Yes, you can very often tell, but you cannot always tell. That is why it is so important to have our eyes on the diseases of the country, and to know where those animals are coming from, and to watch the disease in its progress. You see it is to the interest of the farmer really.

983. I want to keep you to the question of the market, whether, by some organized examination of dead meat in markets or slaughter-houses, you could not sufficiently ascertain whether they have died of disease or not?—There are many cases, and many of the worst cases, where you could not.

984. Are you aware that there is a religious inspection of all the animals slaughtered for the orthodox Jews?—Yes, they examine them when they kill them, and they put their hands in and feel all round the lungs. Their system is the system.

985. How is the knowledge attained whether the animal is sound or not?—They have certain definite rules, in fact they follow the rules handed down to them by Moses.

986. What are they; they are not secret, I suppose?—In the first place, the slaughterer cuts the throat of the animal; it is not allowed to be knocked on the head; he cuts the throat, and then has the animal opened. The first rule is, that if there are any adhesions the animal is excluded. The Jews do not eat any pleuro-pneumonia cattle. The first thing he does is to put his hand round the chest, go right round the lung, lift it out, and if it is diseased, he does not eat it.

987. The question I am asking is, whether there is not some mode of inspection known even to what I call unscientific persons, which can determine whether an animal is sound or not?—They do a very great deal in that way; it is a question of faith with them, they believe it is wicked not to do that.

988. I am speaking of questions of fact, not faith. Cannot you determine whether the animal be sound or not by inspection in the slaughter-house?—To a great extent.

989. I want to know what is the kind of inspection that takes place at Paris to determine whether the food is wholesome or not.—They, to a great extent, inspect the live animals, and then they have the command over the districts that are diseased. They do not allow the traffic to go on as here.

990. I want to bring you within the slaughter-houses?—There they examine the live stock. They see the animal when slaughtered, examine the internal organs, and the meat when it is dressed.

991. Mr. *Cox.*] Do the farmers pay daily or weekly visits to their farms? I cannot tell you; but

but I know that they have their eye on the disease.

992. Lord *Naas.*] Are the statistics of disease in cattle kept accurately in the countries to which you have alluded?—Yes, very accurately, considering the difficulties.

993. How long have they been kept? For many years? We will take Holland, Prussia, and France?—With regard to Prussia, I have some very correct data with regard to the last ten years. In Holland I am not prepared to say how long back, but every year you will find that from each department, each province, there is a very correct register, and I know that it has extended over the last eight or ten years.

994. Are those statistics published?—They are, and the Belgian ones are published.

995. Can we get them?—Yes.

996. Speaking generally, do the Prussian statistics show a decrease of pleuro-pneumonia or not?—With regard to districts———

997. No, but speaking generally; I am speaking of generally over the country?—You will find that in certain parts it is diminished, and in certain other parts there has been great difficulty in controlling it, especially towards the frontiers.

998. In Prussia we are led to suppose very great precautions are taken by the Government not only as regards the importation of cattle from other countries, but also with the other of preventing the spread of disease at home. Taking the Prussian statistics, which you are doubtless well acquainted with, for the last 10 years, do they or do they not show a general decrease of pleuro-pneumonia?—Yes, on the whole they show a decrease, but the country concerning which I have more decided evidence on that point is Mecklenburg, where the decrease has been enormous; and the next country is Bavaria. Upon those points I can speak positively, that in those two countries pleuro-pneumonia has been practically extinguished and kept back by these preventive measures.

999. And the statistics show it?—Yes.

1000. Now, as regards Holland, you said, in answer to me, that there was a great deal of pleuro-pneumonia in Holland. Are there similar statistics kept in Holland?—There are.

1001. What do they show?—They show that in the country, in the parts where the trade with England has been so very active, and there has been a great deal of neglect in the carrying out of preventive measures, disease has been very rife.

1002. Mr. *Cox.*] Does it show an increase or decrease?—An increase in one part, and a decrease in another.

1003. Lord *Naas.*] Do the statistics of Holland show an increase or decrease of pleuro-pneumonia in the last 10 years?—In the last 10 years, I believe, rather a decrease.

1004. Take the last five years?—I am not prepared to reply offhand.

1005. I suppose you can put us in the way of getting it?—Yes.

1006. *Chairman.*] Will you send us the statistics?—Yes.

1007. Of Mecklenburg, Bavaria, Holland, and Prussia?—Yes.

1008. Mr. Alderman *Salomons.*] In your opinion, in the very nature of things, must not every butcher and his servant know whether he is slaughtering a diseased animal?—Yes, he does know it.

1009. And therefore should be held responsible for the sale of it?—Of course he should.

1010. Mr. *Cox.*] I want to know whether you ever heard of a case where an inspector of live cattle has made a mistake about the cattle being diseased or not?—I have no doubt he has; inspectors have made mistakes.

1011. Do you think it possible that you could make a mistake?—Very likely I could. Any other man could make a mistake.

1012. You believe that you might make mistakes in the examination of cattle as to whether they were diseased or not?—I should be able to diagnose any disease, if there were any appearances of disease which I ought to recognise.

1013. I do not mean after it is killed?—No.

Martis, 31° *die Maii*, 1864.

MEMBERS PRESENT:

Colonel Barttelot.
Mr. Baring.
Mr. Beecroft.
Sir Thomas Burke.
Mr. Caird.
Mr. Cox.
Mr. Algernon Egerton.
Lord Naas.
Mr. Hodgkinson.
Mr. Holland.
Mr. Hunt.
Mr. Leader.
Sir William Miles.
Mr. Miller.
Mr. Alderman Salomons.
Mr. Thompson.

F. G. BARING, Esq., IN THE CHAIR.

FREDERICK JOHN BURGE, Esq., M.R.C.S., called in; and Examined.

F. J. Burge, Esq., M.R.C.S.
31 May 1864.

1014. *Chairman.*] You are the Medical Officer of Health for the Fulham District?—I am.

1015. You appear before this Committee, I believe, to represent the views of the medical officers of health of the metropolitan district?—I do.

1016. A deputation of those officers came to the Home Office the other day, wishing to be examined before this Committee?—They did.

1017. You have some suggestions to make, I believe, as to the Bills which have been referred to us?—I should wish to make a few suggestions.

1018. Perhaps you can inform the Committee what the general views of the association of medical officers are?—The general views of the medical officers of health in connexion with one very important subject respecting these Bills, I believe you will find embodied in the opinion which has been recorded by the association of officers of health, and which is to this effect:—"The association has information that a very serious amount of disease exists among the cows of the London dairies, and that such animals are habitually slaughtered and used as food. Further, that a large number of diseased animals are daily imported into London and are exposed in the markets, their disease being often of a contagious character; these also, are killed in the various slaughter-houses of London. The association also has reason to believe that much disease is produced in the human subject by the consumption of the meat of such animals. The association desires, therefore, to record its opinion that a more complete system of inspection, both at places of import and at the markets is required; and also, that opportunities are urgently needed for the systematic inspection of all animals at the time of slaughtering." That is an opinion which was expressed many months ago, and which has been repeated in my annual report, I believe, for the year before last. It is a subject which has engaged their attention for a considerable time, the importance of which, in their opinion, cannot be over-estimated.

1019. What nature of diseases in cattle do the medical officers consider render them unfit for human food?—More especially pleuro-pneumonia, the foot and mouth disease, parasitic diseases, diseases of the puerperal condition, splenic apoplexy, and all those diseases more immediately affecting the blood of the animals, especially connected with blood-poisoning.

1020. Have you read the Bills which have been referred to this Committee?—I have.

1021. Do you approve of the provisions contained in those Bills?—I do.

1022. In what way do you consider that the provisions contained in those Bills will render the sale of diseased meat less frequent?—By affording a more complete inspection of the animals sent to the different markets and fairs.

1023. You have full powers, as medical officers of health, to inspect meat in the metropolitan district, have you not?—We have.

1024. Are those powers exercised?—They are, as far as the present state of the law permits.

1025. Is there much diseased meat condemned?—I think there is a great deal.

1026. Mr. Alderman *Salomons.*] Is it in markets or in shops?—I am speaking now with regard to shops; with regard to the seizure of diseased meat, I refer to shops and slaughter-houses.

1027. Is it markets or shops that you have the power of inspecting?—We have the power of inspecting shops, or slaughter-houses, or any place wherein meat is exposed for sale for human food.

1028. *Chairman.*] In the opinion of the medical officers, are there any deficiencies in the power they now have for the inspection of meat?—Yes, very important deficiencies. One especially is this, that there is a difficulty always in the proof as to whether the animal found in a diseased condition, in a particular slaughter-house, for instance, was really intended for human food or not. A case of that kind occurred to me a short time ago. If you will permit me, I will give it as an illustration. I found the carcase of a diseased sheep, in one of my inspections, in a private licensed slaughter-house. That animal was being dressed, or the butcher had just finished dressing it. It was diseased to a very serious extent. The offal had been removed, and therefore I had only the carcase itself to inspect, but there were sufficient traces of extensive disease in the flesh itself. I immediately, as far as my powers went, seized

seized the carcase; but the plea was that it was not intended for human food. He had just the shadow of an excuse. He had spoken to some one about selling the carcase; but I believed myself, I fully believe that the carcase was intended for consumption, and I think I could have pointed out the locality to which this carcase was intended to be sent to be used as human food. It was a case in which, for want of a better defined power, I should have had a difficulty before the magistrates. I feel that this is a serious defect in the law; wherever a carcase is found slaughtered in a licensed slaughter-house, where carcases or animals are slaughtered for the purpose of human food, it should be deemed as intended for human food; no diseased animal should be allowed to be dressed or slaughtered in a licensed slaughter-house.

1029. You would have separate places?—I believe it is the opinion of the Association of Officers of Health that the slaughtering of diseased animals should be confined to the knackeries, and that private slaughter-houses should not be permitted to have those carcases within them.

1030. Turning to the provisions of the Bills that we have before us, do you believe that the power given to local authorities in the Bills to appoint inspectors of markets, and to prevent diseased cattle from being sold, will have any tendency to check the sale of diseased meat?—They will, but not entirely so.

1031. In what way will they tend to check diseased meat, in your opinion?—By the prevention of diseased cattle being taken into the markets and sold; but there are other means by which diseased animals are slaughtered for human food, which will entirely escape the provisions of this Bill, unless some other provision is made. I refer more especially to cases which come under my own cognizance as a suburban officer of health. There are several dealers in cattle, pigs, and milch cows, which do not pass into any market at all. These cattle-dealers and pig-dealers visit various parts of the country. They purchase cattle from the farmers, diseased or otherwise, sometimes knowing it, and sometimes without knowing it; and these get passed into the metropolitan districts especially, and into other districts as well, without necessarily passing through markets and fairs at all. I have a large number of milch cows brought into my district in a diseased condition that do not pass through a market or a fair. I have an immense number of pigs in a diseased condition brought into my district, where I have nearly 2,000 pigs annually under my inspection, as a rule; and I find a large number of these also brought into my district without necessarily passing through a market or a fair. I believe that the provisions of this Bill would fall short of accomplishing what is required, unless these questions are in some way or other dealt with.

1032. How would you propose to deal with cattle that do not go to a market or fair?—I would propose, especially with regard to the metropolitan district, that the officers of health should have the same power as inspectors of markets and fairs. Perhaps you would allow me to illustrate my observations by another circumstance, or two circumstances, which since your last sitting have come under my cognizance in my own district. A man bought a herd of swine suffering from typhoid fever, and he was in treaty, or rather another man was in treaty, for the purchase of those animals for the purposes of human food. My attention was drawn by my inspector of nuisances to the circumstance, but I was completely paralysed. I had no power either to seize the animals or to ask the local authority under whom I act to issue such regulations as should ensure, first of all, the prevention of the extension of this disease amongst the other swine of the district, and I had no power to prevent their being carried off out of my district, and consumed for any purpose. Another instance of a similar kind has since come under my observation, over which I have had no power whatever.

F. J. Burgé, Esq., M.R.C.S.

31 May 1864.

1033. Where did this take place?—At Hammersmith. In both instances in the parish of Hammersmith, within the time elapsing since your last sitting.

1034. Would you propose, then, that the medical officers of health should have power to inspect any cattle, whether at the market or not, in their district?—I should; these are cases in point, I think, showing the necessity of such a thing; I think the local authority should have such power, under the sanction of the Secretary of State; I would not give them absolute power; at least they would exercise it discreetly, I have no doubt, but I think they should have power, with the sanction of the Secretary of State, as a public safeguard, to issue such regulations, in such districts as my own, for instance, or any other districts, for the regulation and management of diseased cattle, the same as you would propose by these Bills, to stop them *in transitu* on their way to market.

1035. Would you include, under the term diseased cattle, all those diseases which you mention, pleuro-pneumonia, and foot and mouth disease?—I should, certainly.

1036. Any other diseases?—Typhoid fever. I may tell you that I examined the flesh of these pigs, and I found marked evidence of typhoid fever, with all the typhoid eruption upon them; fortunately the man saw the propriety of what I said, and under my advice he slaughtered them all, or killed them and buried them.

1037. Would you give power to the medical officer to enforce the destruction of all animals which he considered to be in a diseased state?—Irrecoverably diseased, I should.

1038. How would you prevent animals that were not irrecoverably diseased, and, therefore, could not be slaughtered, from being sold?—By giving power to the local authorities, under the sanction of the Secretary of State, to issue such regulations as should insure the safe keeping or isolation of those animals till recovered.

1039. Would you prohibit their sale until recovery?—I should.

1040. Altogether?—I should.

1041. All animals with foot and mouth disease, for example?—Yes; unless they were registered, so that an eye could be kept upon them wherever they were sent; you might refuse to give an owner power to sell unless he gave the name and address of the party who bought them; I think all diseased animals of that kind should be looked after.

1042. Have you paid much attention to the diseases of cattle?—I have.

1043. Can you state any opinion with regard to the infectious nature of these diseases?—Unmistakeably, with regard to foot and mouth disease, and pleuro-pneumonia; I have upwards of 500 cows always under my cognizance, and 60 or

F. J. Burge, Esq., M.R.C.S. 31 May 1864

70 cowhouses, that I have had frequent opportunities of seeing and knowing the infectious nature of both diseases.

1044. With regard to the effect of the meat of animals slaughtered with this disease upon them upon the person who consumes them?—In the present state of our knowledge, I think we can only argue on general principles. The attention of the public, and the attention of the veterinary profession and the medical profession, has not been sufficiently directed to that question as I think the importance of it deserves. Generally, there can be no doubt, and I have no hesitation in saying that, I have seen marked instances of disease arising in individuals from diseased meat. One case I have recorded in one of my reports, of diseased sausages affecting a whole neighbourhood—several persons. I am sorry that, the subject then not having so much engaged my attention as it has since, I did not take a note of the individuals; but several people in a neighbourhood were affected by eating diseased sausages.

1045. Could you be certain that the sausages were not made of putrid meat?—No, there is the great difficulty. I have great difficulty in recording these cases and in placing much stress upon them, for this reason, that people seldom eat meat without other articles of diet, and it is a very difficult matter to trace the cause from that circumstance.

1046. Now, with respect to pleuro-pneumonia, have you any instance within your knowledge in which you can positively say that serious illness has ensued from eating the meat of a beast that has been killed with pleuro-pneumonia?—No, I have not, for this reason, that we have not the power of following these carcases. An animal died within 100 yards of my own house within the last three months, I was informed, from pleuro-pneumonia. That animal was carted off, I believe, to London, and, I believe, slaughtered and sold for human food; but I had no power of following it; I had no power to seize it then and there, and I had no power to interfere at all. It was not exposed for sale within the wording of the Act of Parliament, and I had no proof that it was intended for human food; but I believe and pretty well know that it was so.

1047. With regard to the foot and mouth disease, have you known any cases of ill effects from the consumption of the meat of cattle affected with that disease?—No; I think our evidence goes more to the consumption of the milk of such animals.

1048. Have you any information on that point to give the Committee?—I have seen many instances where I have felt that the cause was traceable to the consumption of the milk of animals suffering from the foot and mouth disease. I have traced marked evidence of matter in the milk itself of animals suffering from foot and mouth disease.

1049. Have you any instances of the ill effects of the consumption of the meat of cattle suffering from the carbuncular diseases—anthrax?—I think the same observation may apply to that as to any other; perhaps more marked instances have occurred, and several are recorded by veterinary surgeons and medical men.

1050. Have you any information respecting the parasitic diseases?—Personally I have not.

1051. Have you any other observations which you wish to address to the Committee?—There is one thing which has come within my own cognizance, or rather upon which I have thought, which I have not observed mentioned by others, and that is this, the practicability of the herdsmen propagating diseases of an infectious character; a marked instance of that came under my cognizance; it is the only one I can mention to you. A large cowkeeper in my neighbourhood was cautious in the care of his cows. He kept a separate laystall for the purpose of quarantining his fresh cattle. He gave instructions to the herdsman that he should not have any communication with the other shed; contrary to his instructions in the case of a diseased animal, a very bad case of foot and mouth diseases he went into the other shed, and by that means it was supposed that the herd in the other shed were affected; they had been previously free. He had no disease of the kind existing in the shed before; it is the only instance I have to mention; I do not lay much stress upon it, but I think it right to mention it.

1052. Lord *Naas.*] Laying aside the question of the precautions against infection in live animals, do you think that the precautions against the sale of diseased meat are sufficient at present?—I think not.

1053. Would you state how, in your opinion, they could be increased?—There are a large number of private licensed slaughter-houses in the metropolitan district; I would, as far as practicable, limit the slaughtering of cattle in those slaughter-houses within certain limits convenient to the trade, and within certain limits as to the time of day; it would give an opportunity then for the officers of health or the inspectors to make their inspections from time to time in these various slaughter-houses, and it would give them the opportunity of seeing the offal, the entrails, of the slaughtered animal coincident with the inspection of the carcase.

1054. Would you go so far as to prevent the slaughter of any animal for human food in a town, except in a licensed slaughter-house?—I would, and I would prevent the slaughtering of a diseased animal in a licensed slaughter-house, and limit their slaughtering to the knackeries, so that there should be no plea that it was not intended for human food, a point very difficult indeed for an officer to prove. In the Diseased Meat Act the onus lies upon the person accused to prove that it was not intended for human food; but it is a very difficult point for the officer to get over.

1055. Do you think that if the Legislature were to pass an Act of that kind, that that would be sufficient to prevent the consumption of diseased meat, say in the City of London, in any considerable quantity?—I think it would, as far as the immediate supply of the City of London is concerned—as far as its immediate slaughtering goes.

1056. Are you acquainted with the circumstances of other towns?—I am not, not personally.

1057. But speaking generally, you are, I suppose, of opinion, that the same regulations could be applied to any town of a certain size?—I think so.

1058. Has your attention been drawn to the state of animals that are brought into the large markets in this town?—Not to any very great extent; I have visited the markets.

1059. You are not practically acquainted with the difficulties that would arise in case an Act of Parliament

Parliament were passed, giving very stringent powers of inspection and retention of the live animals before they were exposed for sale; you are not practically acquainted with that?—I am not practically acquainted with it, but from information which I have obtained, and from my own knowledge of the operation of these matters, I should say there would, practically, be neither hardship nor difficulty.

1060. Still you have, yourself, never been engaged in the trade?—I have not.

1061. And you are not acquainted with the mode in which it is conducted?—I am not.

1062. Have you been able distinctly to trace, in any one single case, the evil effects on the human being that have arisen from eating the meat of a beast that had died from pleuro-pneumonia?—No, I have not.

1063. You have never been able to trace that?—I have never been able to trace that.

1064. Do you believe that many animals affected with the earlier stages of the disease of pleuro-pneumonia may be consumed by human beings without any ill effects?—I believe not.

1065. Mr. *Cox.*] In no stage?—In any stage, that is to say, of blood poison.

1066. Lord *Naas.*] Have you ever seen an animal in the early stage of pleuro-pneumonia?—I have, in many cowsheds.

1067. Have you seen that animal slaughtered immediately on the discovery of the existence of the disease?—No, I have not; because we lose sight of them. We have no control over them.

1068. Then, when you say that you believe the meat of an animal in the early stage of pleuro-pneumonia is unfit for human food, you only say it from hearsay, because you have never seen it?—I have not seen it.

1069. Does your opinion also extend to the effects of foot and mouth disease upon the animal?—Yes.

1070. In the case of an animal affected with foot and mouth disease, and slaughtered in that state, even though the disease may be severe, do you believe that the meat of that animal would be unfit for human food?—I think, reasoning from analogy, it would. Not only that, but you very often have the tongue of the animal used for human food, the part specially affected by the foot and mouth disease.

1071. Do you mean to say, that supposing the tongue of the animal was seriously affected with the foot and mouth disease, the whole of the meat of that animal would be unfit for human food?—I think it would, from the amount of blood-poisoning and purulent absorption which takes place during that disease.

1072. Have you ever seen an animal slaughtered while suffering from the foot and mouth disease?—No; but I have seen a large number of them removed from many cowsheds in a state of disease, and I know that they have been conveyed away for the purpose of selling them for human food.

1073. You have not seen the meat afterwards?—No; we have no power of following them afterwards.

1074. What are the signs that you would consider sufficient to condemn a carcase as unfit for human food?—The general appearance of healthy meat is florid and of a firm texture, of a tolerably bright colour. A recent slice of the meat shows a firm texture without that oozing of slimy matter which you see in diseased meat. Diseased meat very often runs very rapidly into a state of decomposition. You very often find the carcases of animals that have died under disease, with eruptions on them, specially with regard to pigs, and in order to avoid that appearance, the slaughterer skins the pig.

1075. Do you believe that a carcase of meat unfit for human food could be exposed, without a skilful person being able to detect the existence of poison or poisonous matter in the meat?—I think that it would be very likely in the early stage to escape even skilful detection. Certainly, in an advanced stage it would escape ordinary attention in some instances.

1076. Suppose all the appearances of health presented themselves in a carcase, that is, that it was rigid, as you describe, and the meat juicy and of a florid colour; in fact, it presented a perfectly healthy appearance, both on inspection and also on cooking—suppose that you had known that that beast had been affected with the early stages of pleuro-pneumonia, would you think yourself justified in condemning that meat as unfit for human food?—No, I think not, perhaps. It would depend on the amount of blood-poisoning in the animal as to the effect produced upon the flesh. Everything would depend on the period of incubation, the incubation ranging over a certain number of days, and the disease developing itself more rapidly and with more intensity in one animal than in another.

1077. If that is the case, I suppose it is your opinion that the inspection, as far as the public are concerned, of dead meat, if rigidly carried out, would be sufficient for the protection of the public?—I think to a great extent it would, provided that the inspection of slaughtering were coincident.

1078. Mr. *Caird.*] I think you said you had mentioned the fact of an increase of diseased animals in your report, the year before last?—Yes.

1079. Have you not taken any notice of that fact since, in any later report?—Yes; I am writing a report at the present moment on it.

1080. You have not yet, since that time, reported further on that point?—Not since. My last report to my Board having gone in last June, and being published in July, my next report will come in in a short time.

1081. Are you aware whether, since the date of that last report to which you have referred, any increased necessity has arisen for an inspection or otherwise of diseased cattle?—Most decidedly so. I have most marked evidence in my own district, under my own cognizance. As I tell you, the ordinary number of pigs in the district averages between 1,500 and 2,000. Such has been the mortality within the last few months amongst pigs, that my styes are nearly empty, and the pig-keepers are all but ruined from the extreme mortality and sickness amongst them; and in fact they are at this moment in a state of panic. Last year I had several herds of swine swept off in an extraordinary manner.

1082. Then your experience refers chiefly to pigs?—To pigs and cows; my personal experience in the district.

1083. Do you know whether the disease of pleuro-pneumonia, and foot and mouth disease in cattle, within your district, have increased within the last two years?—I think not, for this reason, that under the inspection of the cowhouses, the cowkeepers are very much more careful of the

F. J. Burge, Esq. M.R.C.S. 31 May 1864.

character of animals they purchase. I think that the inspection under the Metropolitan Local Management Act, the Cowhouses Licensing Act, has had a very marked effect in improving the condition of the cows, and diminishing the disease amongst them. The attention of the cowkeepers has been constantly directed to the care required in the purchase of their stock, and the mode of keeping them.

1084. I think that you stated, in answer to a question of the Noble Lord beside me, that you conceived the flesh of an animal, however slightly affected by disease, became unwholesome?—I think it does, in some degree.

1085. I think, in a subsequent answer, you referred to the period of incubation as considerably regulating your opinion in that respect?—Yes; the intensity of the disease.

1086. How would you propose by an Act of Parliament to regulate inspection, so as to determine at what period of the incubation of disease the animal should be condemned or otherwise?—I think that would depend on a veterinary opinion as regards the curability of the animal; I think that all these animals should be placed under proper veterinary supervision.

1087. You stated that you had particularly observed the injurious effect of the consumption of the milk of animals affected with foot and mouth disease on the human frame?—Yes.

1088. In what way has it manifested itself?—In apthous ulcerations, in children particularly.

1089. Have you been able to trace it to the consumption of the milk of cows affected with foot and mouth disease?—Yes, with the same qualification that I mentioned before: the great difficulty in unmistakably tracing these cases, is the difficulty of isolating this particular article of food from others.

1090. Is there any one single instance that you can distinctly trace to the use of the milk of the diseased animal?—I think I have seen several in my practice as a medical man.

1091. Mr. *Cox.*] "Distinctly traced" was the question?—Yes; distinctly proved is another question.

1092. Mr. *Caird.*]—It is rather a matter of opinion than your own actual knowledge?—A matter of actual proof; there is a great difficulty on that account; the most tangible proof is, that by the suspension of the article of food an improvement has taken place.

1093. Has the general health of the people in your district improved or diminished within the last two years?—I think it has improved.

1094. Notwithstanding the great increase in the quantity of diseased meat in the district?—Yes; but you must remember that the general improvement arises from the great care in other sanitary matters. The question is, whether we should have a larger amount of health if this disease had been absent. You must bear in mind this, that the effects of diseased meat upon the human frame are not to be traced immediately; you have blood-poisoning, for instance, going on. With regard to carbuncles, you do not find carbuncles always immediately produced.

1095. Do not pleuro-pneumonia and foot and mouth disease affect the blood as fevers?—They do.

1096. Do not fevers immediately manifest themselves in the human frame?—No, certainly not.

1097. You do not mean to say that the incubation of fever would extend over many months?—No; the incubation of a special blood-poisoning might.

1098. But the fact is, that the general health of the district to which your attention is directed has improved within the last two years?—Yes; with this exception, that you find carbuncle very prevalent amongst the poor.

1099. To what do you attribute the greater prevalence of carbuncle amongst the poor?—I believe to impure meat diet.

1100. Is it not perhaps to the fact of their eating more meat than they used to do?—No; I think it is to the fact of their eating more diseased meat than they used to do.

1101. Do you think that they consume more meat than formerly?—I do.

1102. Do you not think that meat is much more an article of consumption amongst the poorer classes than it used to be?—I think so, because the diseased meat is sold much cheaper.

1103. With the exception of this particular disease of carbuncle, the health of the poorer classes, you think, has improved within these last few years?—I think it has.

1104. Do you believe that a much more limited consumption of meat would conduce to a greater degree of health amongst the people?—A more limited consumption of sound meat would be productive of more good.

1105. Of meat of any kind, such as you are in the habit of having in your district?—A more limited consumption of sound meat would be productive of more good than a larger consumption of the diseased meat.

1106. Still, with an increased consumption of animal food in your district, the result has been that the general health of the people has improved?—Yes, under sanitary supervision.

1107. Mr. *Beecroft.*] With respect to the foot and mouth disease, if proper measures are adopted is the disease of long continuance?—It varies a great deal.

1108. Is it ever fatal in its character?—Yes.

1109. Frequently?—Frequently.

1110. Applying to cattle?—Yes.

1111. How are people affected who use the milk of those affected with foot and mouth disease?—With apthous ulcerations.

1112. Where?—In the mouth and intestines.

1113. How is the tongue affected?—The tongue is affected as well.

1114. Is it blistered?—Yes; with apthous ulcerations of the mouth and tongue, and, I believe, the stomach and intestines.

1115. Is it ever fatal in its character on the human being?—I believe it has been.

1116. Do you know it from your own observation?—I have no recorded instance of the kind.

1117. You merely know it from hearsay?—I believe, from my own observation, that many of those intractable apthous ulcerations of children, from which they die, are attributable to the milk of diseased cows suffering from the foot and mouth disease.

1118. Traceable to that disease?—I believe so; I believe I have seen many marked instances of it myself, although I have no recorded instance to bring before you.

1119. Mr. *Hodgkinson.*] Have you visited the live-stock market at Copenhagen-fields, Islington?—I have, but not frequently.

1120. Have you done so lately?—No, I have not.

1121. Are

1121. Are you aware that a very large proportion of animals sold there are affected with foot and mouth disease in some stage of the disease?—I know, from information I have derived from dealers and cowkeepers, that the metropolitan market is very largely supplied by such animals; I have seen them brought from the metropolitan market.

1122. It is the fact, I believe, that the greater part of these animals have left the farmers' premises in a healthy state, and have contracted the disease either in their railway passage or in some previous market?—Yes, I believe so.

1123. It is therefore, in a large proportion of these animals, in a very incipient stage?—Yes.

1124. Is it your opinion that, in that incipient stage, the meat would have an injurious effect on those who eat it?—I think it would.

1125. You stated that you thought it was desirable that powers should be given to the officers of health to condemn the meat of all animals which were in a diseased state: that would apply, I suppose, to animals with foot and mouth disease in an incipient state?—No; my opinion is, that the officers of health should have power to seize animals in an irrecoverably diseased state, but that animals that were curable should be subjected to a quarantine; that the local authorities should have power to issue regulations, with the sanction of the Secretary of State, for the purpose of regulating the care and keeping of these animals until recovered.

1126. But suppose that some of these animals had been taken to the slaughter-house and slaughtered, is it your opinion that the officers of health should have the power of condemning the carcasses of those animals?—If the carcass of the animal was unmistakably diseased.

1127. Would it be unmistakably diseased if it had contracted the foot and mouth disease within a few days previously?—No, I think not; I think it would be injurious to health, but it would be a very difficult matter to detect the disease in that stage.

1128. It would depend on the opinion of the officer of health whether he was to condemn it or not?—It would depend on his discretion; of course he would be open to proof that the meat was in a diseased condition. You would not have power without carrying it before a magistrate, for instance.

1129. Mr. *Thompson.*] I think you said that you were inspecting officer of the Board of Health for the Hammersmith District?—The Fulham District.

1130. How long have you been there?—I have been eight years a medical officer of health.

1131. You said you had a large number of dairies of cows under your charge in that district—I have.

1132. And that many of them were suffering from the foot and mouth disease?—Yes.

1133. Has that been so during the whole period of your experience?—Nearly the whole period.

1134. Is it the fact that when cows have this complaint some time, they frequently have had ulcers on the teats?—Very often.

1135. And that there is a very considerable discharge of poisonous matter into the milk when milking?—A very large discharge.

1136. It is impossible to prevent it?—It is impossible to prevent it.

1137. Is that milk sent regularly for consumption with the rest?—Yes. I have seen it a very large number of times, and I know it is the practice; it is invariably mixed with the dairy-milk, and I know it is always consumed.

F. J. Burge, Esq., M.R.C.S. 31 May 1864.

1138. You have no power in any way to check that practice?—No. I have dozens of times seen the teats in a dreadful state of disease, and I have seen the pus actually milked into the pail and carried off; and I have no power to prevent it.

1139. You say there has been a very great loss in pigs in your district?—Yes.

1140. Do you know the complaint called "measles" in pigs?—I do.

1141. What is the character of that complaint?—It is a disease which does not come so much under my cognisance.

1142. You do not know whether that unfits the flesh of pigs for human food?—Unmistakeably.

1143. That is not the complaint from which the pig-owners have been suffering so much lately?—No.

1144. What is the character of that complaint?—Hog-cholera; and the foot and mouth disease in some instances, and typhoid fever also.

1145. Is hog-cholera a new complaint?—No, I believe not.

1146. Is it of the ordinary character of diarrhœa?—Yes, the ordinary character of diarrhœa, and dysenteric action.

1147. Have they died in great numbers?—Yes.

1148. Have many of them been used for food?—I believe all; or used for feeding pigs in the same shed, which is another very important matter.

1149. Are the sausages in your district in great repute?—I am afraid not.

1150. Sir *William Miles.*] I understood you to say that you knew instances where milk had been used from an animal having the foot and mouth disease, in which, as I understood you, danger had ensued?—I believe there are cases.

1151. I must not have "believe;" do you know such a case?—I have stated that it is very difficult to prove, and I have no actual proof of those cases.

1152. Can you give me any direct case, arising from the consumption of diseased meat, in which you can trace directly, not indirectly, the cause of death from the consumption of that meat?—No; I have no cases of that kind.

1153. You have said that you have thought carbuncle is a good deal induced by the consumption of diseased meat?—I do.

1154. Do you not know that carbuncle has of late years very much increased throughout the land?—I do.

1155. And that it not only has increased with the lower orders, but with the upper orders?—Yes.

1156. Then, as the upper orders do not come under the category of those using this diseased meat, why should you say that you believe in the lower orders it is produced by the consumption of this diseased meat?—I believe that a large amount of diseased meat is consumed by the better classes.

1157. Do I understand you to say that you believe a large quantity of meat unfit for human food is consumed by the upper classes?—I think a large amount of meat is consumed by the upper classes, which is in a state injurious to health and productive of disease.

1158. Can you state to us any one case in which by consumption of bad meat death has ensued?—I have no recorded instance.

F J. Burge, Esq., M R.C.S. — 31 May 1864.

1159. Colonel *Barttelot.*] I should like to know if, from your own knowledge, you know of any first-class butcher selling diseased meat?—The instance I mentioned to the Committee this morning was that of the carcass of an animal that I found in the slaughterhouse of a first-class butcher's shop; when I say "first-class," I mean first-class in our district. That carcass I discovered in a highly diseased condition, and although I had no proof, I believed it was intended to be sold for human food. I secured it being buried, and therefore prevented it; but I had no indisputable power to do it, inasmuch as he stated that it was not intended for human food; and the difficulty of proof was great under the circumstances.

1160. You have stated that the higher classes consumed a large quantity of diseased meat?—Yes.

1161. Now I want to know if it is your deliberate opinion that the first-class butchers are in the habit of selling diseased meat?—I believe many of them purchase diseased meat.

1162. Do they not purchase their own cattle?—Not always.

1163. Do they not generally purchase their own cattle?—Perhaps, as a rule they may, but not always.

1164. In what proportion do you think they purchase dead meat to the cattle which they purchase?—That I have no means of ascertaining or giving an opinion about.

1165. Now, as to the foot and mouth disease; you say that you have frequently known the foot and mouth disease prove fatal to cattle?—Yes.

1166. Can you tell me in how many instances you have known it prove fatal?—No, I have no numbers.

1167. You have 500 cows under your supervision?—Yes.

1168. Have you known five cows die of foot and mouth disease?—I have known a great number of cows removed in an incurable condition from my district with the foot and mouth disease.

1169. Sir *William Miles.*] Why do you say in an incurable condition?—So far as this, that the disease has run on to a hopeless condition, as far as the cowkeeper was concerned, and they have been condemned for sale.

1170. Colonel *Barttelot.*] Have you known yourself one cow ever die from it?—No; I have not witnessed the death of these cows myself, because my cognizance of the animals is limited to my inspection of the shed.

1171. You have paid particular attention to the disease?—I have, as far as my position as officer of health allowed me to do, in connexion with the supply of diseased meat for human food.

1172. Do you not know that with the most ordinary care the disease is most easily cured?—I believe it is.

1173. Do you not also know that if the milk is boiled there is no injurious effect from the milk, supposing the cow has the disease on it?—I think that would be open to some little doubt; we know very well that cooking does destroy a very large amount of this diseased condition in animal food; but a large quantity of milk is used without being boiled.

1174. I did not ask that question; I asked whether you do not know the very fact of boiling the milk prevented any disease being taken from using it?—If perfectly boiled, it may destroy the diseased condition, it would not alter its nutritive qualities.

1175. If those cowkeepers who are under supervision used care and precaution, the greater part of this disease would be prevented?—Yes; it has been modified, I believe, in my own district, in consequence.

1176. Mr. *Cox.*] Do I understand you clearly and distinctly to say that in no stage of the disease of pleuro-pneumonia, can the meat of the animal be eaten without injurious effect on the health of the eater?—I think in a degree it must.

1177. I took the words down: "In no stage of the disease of pleuro-pneumonia can meat be eaten with safety to the eater"?—I think not; because from the first period when the disease becomes developed, you have more or less blood-poisoning in the system; it would be a question of degree.

1178. Do I understand you to say precisely the same, as regards foot and mouth disease?—I do.

1179. It struck me as a contradiction, but I will ask you the question. You said a carcase could be exposed without detection in the early stage of these diseases, and that if you knew that an animal was diseased you would not condemn it in the early stage?—That was with reference to the appearance of the meat, I think.

1180. I think the noble Lord asked you if you knew of an animal being diseased in the early stage, whether you would, when it was killed, condemn the meat?—I think it ought not to be used for human food if in any stage of these diseases.

1181. Either of them?—Yes.

1182. Are you a member of the College of Surgeons?—I am.

1183. Not a veterinary surgeon?—No.

1184. Have you a great respect for the opinion of the French medical profession?—I have.

1185. Are you aware that the French medical men hold that no injury will arise to a person eating the meat of cattle having foot and mouth disease?—I am aware that there is a variety of opinion about it in France as well as in England.

1186. But, notwithstanding that, in Paris the medical profession permit meat without any difficulty to be eaten, of cattle having foot and mouth disease, you still think that in no stage of that disease can it be eaten without danger to the eater?—I think in no stage, when the disease is developed.

1187. You said that there had been a great increase in the disease of carbuncle. Allow me to ask you how many cases of carbuncle came under your notice during the last year?—It is my practice, in carrying out my duties, as officer of health, to inspect the sickness returns of the district, as far as I can gain them from private practitioners and from the union; and it is my opinion ——

1188. No, I do not want your opinion. My question is, how many cases of carbuncle came within your knowledge?—I am not able to tell you.

1189. Then I shall put the same question to you for every preceding year during the time you have been medical officer of health. Can you tell me?—No, I cannot.

1190. From what, then, do you derive your opinion that there has been a great increase in the

the disease of carbuncle?—From frequent inquiries as to the sickness prevailing amongst the poor people, and from private sources.

1191. You think you are told that there is carbuncle oftener now than you think you were told there was carbuncle six or seven years ago?—Of course I had not the same opportunities of making the inquiries previous to my position as officer of health.

1192. I am keeping myself within the term of your being medical officer of health. You think you are told that there is carbuncle oftener now than you think you were told there was carbuncle six or seven years ago?—I think so

1193. But you do not know anything about it?—Yes, I think so. I have formed an opinion to that effect.

1194. We are not seeking an opinion, but we are seeking facts. As a fact, do you know anything about it?—Yes.

1195. Be good enough to tell the Committee the number of cases of carbuncle?—I have admitted that I cannot give you those numbers.

1196. Can you think, now, of how many cases of carbuncle, during the past 12 months, have come under your attention?—I should not like to speak at random upon a question of so much importance.

1197. I think you have been speaking at random on other things, and I want to see if you have not done it with regard to carbuncle. Have you seen or heard of 100 cases of carbuncle in your district during the last 12 months?—No, I should hope not.

1198. I will carry it down to 10?—Yes.

1199. You think there have been 10?—Yes.

1200. Do you think that there were 10 in any one of six years?—Possibly.

1201. Mr. *Leader.*] I suppose you have read Professor Gamgee's report to the Privy Council?—I have.

1202. He mentions the loss of cattle from disease at about six million pounds worth of cattle in the year?—Yes.

1203. He said in his examination here that half of that he should attribute to pleuro-pneumonia?—Yes.

1204. He mentioned that three millions actually died?—Yes.

1205. How many millions' worth of cattle do you think were in the early stages of pleuro-pneumonia?—I have no means of forming an opinion.

1206. I suppose it must amount to a very considerable amount?—The loss to cowkeepers is something very enormous. I know in my district there is a constant change of cows in consequence of the development of this disease.

1207. Would you recommend that that quantity of meat which is derived from cattle slaughtered in the early stage of pleuro-pneumonia should be destroyed?—I think so. I think it should not be used for human food.

1208. And if that amounted to several millions you would still be of the same opinion?—Yes.

1209. Mr. *Algernon Egerton.*] Is it your business, as a medical officer, to make any report on the state of health in your district?—Yes.

1210. In that report, do you notice any increase in the disease of carbuncle?—Yes.

1211. And the information you go on, I understand you to say, is private information from practitioners, and from inquiries amongst the poor of your district?—Yes.

1212. You have no doubt on the fact at all?—I have no doubt as to the fact at all.

1213. Mr. *Cox.*] To the extent of ten cases?—Yes.

1214. You will not carry it beyond ten?—No.

1215. *Chairman.*] Are you aware of any meat being seized at a butcher's shop as unfit for human food in your district?—Yes, I have seen several; but I have had no difficulty with the butchers, because the moment I have seized it, they have always consented to its being destroyed in every instance. Therefore, I have had no necessity for carrying it before a magistrate.

1216. Have you ever had any dispute as to whether the meat seized by you and condemned, was or was not unfit for human food?—None whatever.

1217. Mr. *Cox.*] Yours have been clear cases?—Mine have been clear cases. From knowing the weakness of the law on the point, I have been careful.

1218. Mr. *Caird.*] You stated that you yourself had seen a great deal of milk taken from cows in a state of disease, and that often pus was milked into the milkpail?—Yes.

1219. Do you not think that the people who buy the milk, would form some judgment as to the quality of it?—No, it is impossible. It is only to be detected by the microscope.

1220. Is the pus amongst the good milk in so minute a quantity?—No; it is in a great quantity in some instances, but not discoverable by the naked eye.

1221. Does it affect the taste of the milk?—Not invariably.

1222. Or the colour of the milk?—Sometimes it does, and sometimes it might even affect the taste.

1223. Is it not in any way offensive in the milk?—It very soon decomposes.

1224. Do you not think that decomposed milk would form a very bad article of commerce amongst any population?—It would.

1225. And it would not be likely to find a ready sale?—No; but the consumption of milk is generally so rapid, that I do not think it would be often detected.

1226. Do you not think that the milkman who supplied milk of that description would very soon lose his customers?—I think not.

1227. Do you think that people know so little about the quality of the milk they buy, as that?—It is not to be discovered by the naked eye.

1228. Mr. *Thompson.*] You have not known, you say, of any cases of death by the foot and mouth disease; but have you known of many cases where the cattle were in such a state of advanced disease, that when they were removed, it was clear that they must be killed. Were they so bad that when they went away from your medical inspection you knew that they must be killed?—Yes.

1229. They were in such a state as to be fit for nothing else?—Yes; I know that the cowkeepers sent them away in numerous instances for the purpose of being sold for human food.

1230. Although you did not witness the death you felt morally certain that these animals must die from the complaint?—Yes.

1231. With reference to the prevention of the foot and mouth disease by simple precautions, have not the dairymen great losses by this disease?—Very great losses indeed.

1232. Then, as men of business, if these pre-

F. J. Burge, Esq., M.R.C.S.

31 May 1864.

cautions were so simple, would they not take them to avoid this great loss?—No; they do not take them.

1233. Do they know what to do?—A great number of them, perhaps not.

1234. If they knew, would they not save themselves from great losses?—I think the greater number of them would; I have never found any difficulty either with cowkeepers or butchers, in getting them to carry out sanitary regulations, both as regards slaughter-houses and cowhouses. The cowkeepers, I know, would very willingly adopt any measures, however stringent they might be, to save themselves from the immense loss; I think that they would be very willing indeed to do so, from the immense losses that they are constantly suffering now.

1235. Mr. *Holland.*] With regard to the management of dairies: where there are diseased cows in the dairies, from your knowledge, are the dairymen in the habit of calling in veterinary professors?—Sometimes the better class of cowkeepers do; the others allow the disease to run on to a certain extent, and then they send the animals to be slaughtered. That is the ordinary mode: a provident cowkeeper sends for a proper professional attendant for his cows; the others allow the disease to run on to a certain stage as far as they can, and keep milking the cow all the time, and then they send the animal to be slaughtered for food; that is the rule.

1236. Is it your opinion that the dairymen have faith in the veterinary art?—Many of them have not, from want of experience in it, I presume.

1237. Now with regard to pigs, of which you know so much, and have so many in your district: during the time that you have been medical officer, have you remarked the way in which they have been fed?—Yes, many times, with very great horror and regret.

1238. Can you state what particular food they have?—Offal of all kinds, both boiled and unboiled. I have seen entrails in a highly-diseased and putrid condition in the troughs; fish offal of every description; vegetable refuse of every description, both cooked and uncooked; and I have known a very great mortality arise in piggeries where they have fed on the offal of diseased meat. I have known extensive mortality in the piggeries arising from the consumption of pigs that have died of disease in the very same building, or on the very same premises, cut up and given to the pigs, both raw and cooked; I have seen it over and over again.

1239. Mr. *Cox.*] Do you think any Act of Parliament would prevent a man doing such a thing as that?—I think so.

1240. A man who has a pig of his own, which dies, feeds a healthy pig on the diseased one?—I think that every person keeping pigs for the purpose of supplying human food should be licensed, the same as the cowhouses and slaughter-houses are now.

1241. Mr. *Leader.*] Every farmer and every gentleman?—No, I am not going to that extent. I was speaking with regard to the metropolitan district, and I should wish to confine my observations to the metropolitan district. Every pig-feeder should have a license, the same as a cowkeeper. I think an immense amount of disease is spread amongst pigs from this one circumstance.

1242. Mr. *Cox.*] You are aware that the Bills on which you are giving evidence apply not only to the metropolis, but to the whole of the kingdom; to England, Scotland, and Ireland?—Yes; and I should give the Secretary of State the power of issuing such regulations as should define the localities or persons who should come under the cognisance of it.

1243. But even then, supposing you did that, do you think that would prevent a man who had a pig which died from feeding the other pig on that dead pig, if he so minded?—I think, to a large extent, it would.

1244. Do you think that his own interest to save the remainder of his pigs would not prevent his feeding it on the dead one?—It does not, because these men will run any amount of risk.

1245. Do you think an Act of Parliament would prevent their running that risk?—I do, on a large scale; perhaps not in a single instance of keeping a single pig, or half-a-dozen pigs.

1246. *Chairman.*] You have power, I think, to deal with a pigsty, if it is a nuisance?—Merely with the pigsty, not with the diseased animals.

1247. Cannot you suppress the keeping of pigs in certain places?—We can; but I had 14 pigs in one herd, and 7 in another, that were diseased; I had not power to deal with them. They were all diseased, one herd suffering from hog-cholera, and the other from the typhoid fever, and I had no power whatever over them. There they were, in two separate pig-keepers' premises, and I had no power whatever beyond persuasion. In the one instance I induced the proprietor to destroy them all, and bury them; in the other I have not been able to succeed.

1248. Mr. *Cox.*] What has become of those pigs?—My inspector is watching them; but I believe we are comparatively powerless.

1249. Have they got well?—No, I am afraid not. Some of them have died since, and I have secured the burying of the carcasses of those that have died; but I have no power to issue a regulation to the pig-keeper, to say such and such a thing must be done with those animals. To get them well you must have supervision over them.

1250. Would not his own interest incite him to take such steps as might be necessary for the purpose of getting them well?—If pig-keepers had the same power of reasoning as you have, perhaps they would; but they do not. Here is an illustration that they do not.

1251. Mr. *Leader.*] Can you give any idea of the extent to which pig-breeding is carried on in your district?—I have had as many as 2,000 pigs in my district, and I do not suppose that there are over 500 now, the mortality has been so great amongst them; in fact, the pig-keepers are so impressed with the danger of buying pigs at the present moment, that they refuse to do so, and declare that they will never eat any more pork at all.

1252. Mr. *Cox.*] Then the evil has cured itself, without an Act of Parliament?—To a very great extent in my district it has, but that is through a very expensive penalty and mortality. I am told, as a fact bearing on this important subject, that the pig-keepers, as a rule, will not eat pork; they abstain entirely from pork. I have heard them declare over and over again that they would not eat any pork, and I know that they do not; as a rule, they abstain from it as an article of food.

WILLIAM BRINTON, Esq., M.D., F.R.S., called in; and Examined.

1253. *Chairman.*] YOU are a physician?—Yes.

1254. And Professor of Physiology at St. Thomas's Hospital?—Yes.

1255. You have, I believe, paid attention to the effect of diseased meat on persons who have consumed it?—Chiefly as regards parasitic animals found in meat.

1256. What is your opinion with respect to the general character of diseased meat, as to its nutritive qualities?—That no doubt it loses a great deal of its nutritive qualities in being diseased. The disease renders it, so far, less nutritious.

1257. Have you found that the effect of the disease upon the blood, or upon what?—To a great extent upon the general effect of the disease on the blood, upon the way in which disease hastens and increases the effect of putrefaction, and then also upon the way in which disease specifically affects the whole animal, of which pleuro-pneumonia is a very fair illustration. If 20 or 30 pints of fluid are poured out into the animal's chest a few hours before death, as is sometimes the case, that is so much taken from the blood; it is tantamount to eating the flesh of an animal that has been very seriously bled.

1258. You would say that it is impossible that the meat of an animal which has suffered severely from any disease should have the same nutritive qualities as ordinary meat?—Quite so.

1259. Would you apply that to the early stages of the disase?—To all but the very earliest stages.

1260. Can you state whether in the medical profession, and in your own judgment, there is any general agreement that the animals that have been killed in the early stages of pleuro-pneumonia, or foot and mouth disease, are unfit for food?—I do not think there is. I think the attitude we have is that of waiting for further information on the subject; I should think that in the very early stages it might be quite possible that the meat might retain a great part of its nutritive qualities.

1261. It was not its nutritive qualities that I was asking about, but as to its being absolutely unfit for human food?—The unfitness would, of course, depend partly on the degree of nutrition; but as respects the production of the disease, I do not think we can say that in the earliest stages of pleuro-pneumonia the meat itself produces any disease in the human subject.

1262. Have you any cases, to your own knowledge, of disease produced by the consumption of animals affected with pleuro-pneumonia, or foot and mouth disease?—I think with foot and mouth disease there are cases, though they are few, and at present rather entitle us to strong suspicion.

1263. As I understand the effect of your answer, you have no evidence with respect to the injurious nature of the meat of animals affected with foot and mouth disease?—No direct evidence, to my own knowledge.

1264. With respect to the consumption of the carcasses of diseased animals possessing less nutritive qualities than sound meat, do you suppose that that consumption is deleterious to the health of the population?—I think there, again, we must be regarded as waiting for further information; no doubt, in the long run, anything which depreciates the nutritive value of the meat will affect the health of the population. Although there is a general impression that diseased meat causes boils and carbuncles, yet I think many amongst us would rather reserve our opinion on the subject; I do not feel in a position to make any strong statement on that point.

W. Brinton, Esq., M.D., F.R.S.
31 May 1864.

1265. Generally, then, with respect to diseases produced from diseased meat, other than parasitic diseases, the state of medical knowledge is not yet complete?—It must be said so. That it lowers the nutritive value of food, both cooked and uncooked, there can be no doubt; as respects the direct production of disease, I think we must be content to wait for further evidence.

1266. You speak with a knowledge of the opinion of medical men of experience and scientific knowledge on the subject?—Yes.

1267. With respect to parasitic diseases, have you any positive knowledge with respect to the existence of parasitic diseases in man, derived from the consumption of diseased meat?—Certainly; about that there can be no doubt, from personal observation.

1268. Take the disease of tapeworm: how is that derived in man?—It is often derived from the consumption of the eggs, as they are called (the embryos one might rather call them), of the tape-worm, which are taken into the human body in the form of what is usually called the measles, or cysticercus of the pig.

1269. That is from eating measly pork?—Yes.

1270. Would it depend on what amount of cooking measly pork had?—No doubt.

1271. That is a matter of fact, as to which you can speak from your own knowledge?—As regards that particular parasite, at least, we are fully entitled to believe it. Larger experiments have been made abroad, and they all show that careful curing or anything like thorough cooking destroys the capacity of the cysticercus to give rise to tapeworm, and that, in fact, it is the raw meat or the meat which is slovenly cooked which gives rise to it; with ordinary cooking there is not much risk.

1272. In regard to another parasitic disease, the trichina, have you paid much attention to that?—Yes; but I have not had many direct opportunities in this country.

1273. Have you had any opportunities of seeing it in this country?—Yes. One case occurred at the hospital to which I am attached some years ago; that was not under my care. There was no doubt that there the trichinæ were widely disseminated throughout the whole body.

1274. What is the trichinæ?—It is a species of worm which is taken in in the form of raw or uncooked meat. In the flesh of the animals in which it is consumed, it has only attained a sort of half-stage of growth, a half-stage of development; but on being taken into the body, it rapidly acquires sexual characters, forms young ones, and the young ones bore through the tissues of the animal that has eaten the original one; and in that way they are found disseminated throughout the whole body, but especially throughout the muscular system, where they seem to have a peculiar faculty of feeding themselves at the expense of the tissue, so as to cause very serious symptoms, and in many cases death.

1275. Did death ensue in the case to which you alluded?—Death took place; but I do not think

W. Brinton, Esq., M.D., F.R.S.

31 May 1864.

think we were satisfied that it was due to the trichina: on the contrary, we came to the conclusion that the animal was undergoing degeneration or decay, and that, in point of fact, the man had killed the trichinæ, and not the trichinæ the man.

1276. Is that disease at all prevalent in London at the present time?—I am afraid that there must be cases which escape our observation; but I think I can decidedly say that it is not prevalent.

1277. Is there any other parasitic disorder derived from consuming diseased meat, upon which you can give us any information?—One such disorder, which is more common than is usually supposed, is a large tumour in the liver, called cyst of the liver.

1278. What is the meaning of the word "cyst"?—It is the Greek for bladder; a bladder containing a large quantity of liquid. These bladders are really a stage in one development of a kind of tapeworm.

1279. It is a parasite in the body?—Yes; and I have known it produced by the eating of underdone pork.

1280. These cases came under your own observation?—Yes; I observed one case of two sisters in a family.

1281. How did you trace that to the consumption of underdone pork?—Eating raw pork is a thing which few do, and which still fewer would confess; but in the case of these two sisters, I put what lawyers would call leading questions, and they both confessed that they had been in the habit of eating raw pork.

1282. Mr. *Cox.*] Underdone pork?—No, raw pork.

1283. *Chairman.*] Do you believe that the habit of consuming raw meat exists to any extent amongst the population?—I do. Tapeworm is not uncommon, and, speaking roughly, I should say that 60 per cent. of the cases of tapeworm I have seen own to eating raw meat, and I suspect that of the remaining 40 per cent. a good many do it, and do not own to it.

1284. Do you suppose that if the public took care in all cases to avoid eating raw meat, and had their meat properly cooked, and took care that the hams and other preparations of pork which they eat, were well cured, they would very considerably avoid these parasitic disorders?—I do think so, or a greater part of them; in Abyssinia, travellers tell us that tapeworm is exceedingly common, from the habit of eating raw meat; and I believe that, generally speaking, proper cookery would avoid all these diseases.

1285. Have you any knowledge of the diseases of cattle?—Little or none.

1286. Can you speak from your own general knowledge of these parasites, to the point of whether the parasitic disease in the pig is infectious?—As from pig to pig?

1287. Yes?—That is rather a matter of physiology; I should say, as a rule, it was not infectious; where a pig eats the carcase of other pigs, there no doubt the pig would become affected; but I do not think if, for example, in a drove of pigs one had trichinæ that any other pig would get it.

1288. Therefore, taking pigs with trichina to the same market as other pigs would not tend to communicate the disease from one to the other?—As a rule, not; but it is obvious that in exceptional cases it might do so, quite independently of the trichinæ nestling in the flesh of one pig being communicated to another. For example, the trichinæ nestling in the pig at one particular time are the trichinæ that have been developed from some trichinæ that he has eaten weeks before. Some of those may still be present in the intestine, and may, in consequence of the piggish habits of pigs, be easily transferred to the intestines of others. I do not think there is any direct communication from one living pig to another. It would be rather a community of cause than contagion.

1289. There is another disease which, though not parasitic, is supposed to be derived from eating the flesh of diseased animals, and that is what is called malignant pustule?—Yes; and that I think I have seen in at least four or five instances.

1290. Have you seen any instance that you could positively trace to the consumption of diseased meat?—One case I believe I could; but I speak with hesitation. Another case seems to have been due to contagion from hides imported into England.

1291. From touch?—I suspect so. It was a man employed in one of the dockyards, and the case was so peculiar, so utterly unlike anything one ordinarily sees, even in the hospitals of this large metropolis that sweep into their net the worst diseases from all parts of England, that I think one may rely upon it.

1292. In your practice you have not known more than one or two cases?—I think not more than four; as a matter of probability, not more than three.

1293. Your practice is so large in regard to this disease, that probably you would have heard if the disease had been at all prevalent?—Yes; for many years, in an hospital with which I was connected, I saw about a thousand patients a-week, and of those almost all the most serious cases were drafted into the hospital.

1294. So, as regards the effect of this disease on the health of the metropolis, you would put it very low?—Very low.

1295. Mr. *Cox.*] Three cases in the whole of your experience?—I do not think I can say more.

1296. Out of a thousand patients a-week?—Yes; for years together.

1297. *Chairman.*] It has been stated before this Committee, that the milk of cows—the cows being affected with the disease called the foot and mouth disease, is injurious to the health of children. Has any instance come to your knowledge, in which you can positively trace any disease in children to that cause?—Nothing that I can positively trace. There are one or two instances in which there are very strong grounds for suspicion.

1298. Do you conceive that that again is a matter as to which medical knowledge has not arrived at any positive conclusion, in regard to the effect upon health, of the consumption of the milk of animals affected with that disease?—I do not think we can sufficiently trace any definite disease. That unwholesome milk would be unwholesome for children, there can be no doubt; and I have very strong suspicions, though I should hesitate to affirm any positive knowledge, of definite infection. Sometimes in a science that goes mainly on probabilities, we are apt to overstate the case. The only case I can recollect, was a very curious affection of the glands of the throat in a whole family—

family—father, mother, servants, and children. There it seemed likely to be due to the milk; but it is fair to add that there had been scarlet fever in the village, and this may have been some form of it. Agriculturists would give a great deal better evidence of it. They would probably know of it just as, in the days of Jenner, they knew of the transmission of smallpox to the cow.

1299. Mr. *Caird.*] Does your experience embrace a large amount of the working and lower population of the City of London?—It does not now so much as formerly.

1300. In the hospitals, I mean?—It has for many years.

1301. You speak from experience?—I suppose few have had larger experience for their years.

1302. From your opportunities of observation, would you say that the general health of the people over whom your experience extends, is improving or deteriorating?—I should say, decidedly improving.

1303. Has that particular complaint of tapeworm increased in the metropolis do you think?—I think not. If anything, perhaps, it seems rather more frequent, because the progress of diagnosis finds it out in a larger per-centage of cases.

1304. I think you stated that almost any diseased meat would be very much rendered innocuous by sufficient cookery?—Not in the case where disease has hastened putrefaction.

1305. Not when it got into the stage of putrefaction?—No.

1306. But when it has not reached that stage, do you think that sufficient cooking would render even diseased meat innocuous?—I question it. It would be so no doubt in the earlier stages of the malady; but, I think if the disease were at all far advanced, it would not be so.

1307. If it was taken in a very early stage of the incubation of the disease, would you say that sufficiently cooked meat would become innocuous?—In all probability. Heat is almost the only disinfectant that we have, *qua* disinfectant.

1308. Then, I suppose, I may conclude from your evidence that an inspection of cookery is almost more necessary than an inspection of cattle?—I am afraid it would not be practicable.

1309. I am asking the question in sober seriousness. Do you think so?—I do. A great deal of mischief would be prevented at any rate.

W. Brinton, Esq., M.D., F.R.S.

31 May 1864

1310. Mr. *Thompson.*] You said that you had no cases in your own practice, except those few that you named to the Committee, where you could trace the deleterious effects of diseased meat or milk on the human frame?—Yes.

1311. Are you aware of any recorded cases which are accepted by the profession generally as evidence of such cases?—I do not think we should like to accept them. Many strong statements have been made with respect to the alleged prevalence of boils and carbuncles of late years; but, I think if we look to strict fact, we should rather come to the conclusion that those boils oftener depend on endemic causes, at any rate the evidence is clearer that connects them with local causes than any particular disease amongst cattle.

1312. There are a certain number of cases on record which are accepted by the profession generally?—Yes.

1313. Are there any such cases proving that disease has been communicated to the human frame by diseased meat, or by milk from diseased cows?—I believe there are two or three such cases as to milk. There are several cases of the communication of the malignant pustule, and plenty especially in the very carefully observed foreign annals of this kind. As regards the production of disease from pleuro-pneumonic meat, I do not think we have any sufficient evidence that we should accept.

1314. Sir *Thomas Burke.*] Or as to foot and mouth disease?—As to foot and mouth disease I think we have: that is believed to be contagious on well grounded cases.

1315. Mr. *Cox.*] You have said that the effect of the foot and mouth disease, and pleuro-pneumonia on cattle is the same as though the animal had been very seriously bled; would the meat of an animal that had been very seriously bled do any mischief to the person who eat that meat?—No; as respects the removal of an immense quantity of fluid from the blood when an animal in a few hours has lost 20 or 30 pints, of course it is very much in the condition in which some persons like veal;—deprived of a great deal of its nourishment.

1316. Still the eating of that meat would not be injurious?—I do not think we have sufficient evidence that it would.

HENRY LETHEBY, Esq., M.D., called in; and Examined.

H. Letheby, Esq., M.D.

1317. *Chairman.*] WHAT positions do you fill, Dr. Letheby?—I am the Professor of Chemistry at the London Hospital, Medical Officer of Health for the city of London, and, I may say, the general referee in Chemical and sanitary matters in the city of London.

1318. How long have you been medical officer of health for the city of London?—Nearly 10 years.

1319. Have you had opportunities of knowing the condition of the meat that is sold in the city of London?—Yes; I have had very great opportunities.

1320. And of the nature of the cattle diseases?—Yes, as far as the meat is concerned.

1321. Will you explain what measures have been taken in the city of London for the inspection of the meat?—I may state that, until within the last three or four years, there was no systematic return of the inspection of the markets of the city; and I found things so irregular that I condered it necessary to advise the Commissioners of Sewers, who are the local authorities as regards all matters connected with the public health in the city, to appoint inspectors whose duty it should be to keep at the markets, and make a constant inspection of the meat of the markets.

1322. The Commissioners of Sewers are a committee of the town council?—Yes, they are the local authority; the branch of the corporation to whom is deputed the carrying out of all matters connected with the sanitary affairs of the city.

1323. Will you describe the practice with regard to the inspection?—In the first place, the city is divided into two districts, an eastern district and a western district, corresponding to the legal division of the city. In the eastern district there

H. Letheby, Esq., M.D.

31 May 1864.

there are two large markets, Leadenhall Market and the market of Aldgate. In the western district we have Newgate Market and the markets pertaining to it, as Tyler's Market and the market in Warwick-lane. An inspector is appointed for each of these districts, and it is the duty of the inspector of the markets to be present in the markets during the whole time that the business of the markets is carried on, and to see, as far as he possibly can, the condition of the meat that is brought to those markets. In performing this duty he follows instructions which I have given him in regard to the kind of meat which is to be seized or condemned as unfit for human food.

1324. Will you explain to the Committee what kind of meat you consider to be unfit for human food, and which you have given orders to the inspectors to condemn?—In the first place, meat affected with parasitic creatures, such as measly pork and animals afflicted with fluke in the liver, when they are much emaciated. Those are the principal of the parasitic diseases. They are not yet acquainted with the existence of trichina in the animal, and therefore they are not in a condition to judge of that. In the next place, they condemn the meat of all animals that are suffering from acute inflammatory diseases; as, for example, pleuro-pneumonia, in the acute stage of it, when the lymph is thrown out on the surface of the lung and on the surface of the pleura, and is in what we call a plastic state. In the next place, they seize the meat of all animals affected with small-pox. Again, they seize the meat of animals tainted with physic. When the animals have been diseased, and have been treated by a veterinary surgeon, the physic pervades the flesh, and they seize the flesh of animals affected with that. Generally, too, they seize all meat in a high state of putrescence.

1325. Can you put in a copy of the rules given to the inspectors?—Yes; they are not printed, but I can give you a copy of the general rules.

1326. You have no objection to that being produced?—None at all.

1327. Will you tell the Committee what amount of meat has been condemned by the inspectors?—During the last 3½ years we have condemned in the City of London, in round numbers, 600,000 lbs., or about 270 tons of meat; it averages rather more than a ton a-week. I put in a statement in detail of the meat that we have condemned in 3½ years (*The same was put in.* Vide *Appendix.*)

1328. Can you tell the Committee what proportion of that amount of meat which has been condemned, consists of the meat of animals affected with the different diseases?—Two-thirds of the meat was diseased; in round numbers 354,000 lbs., or two-thirds of the whole quantity was in a state of disease.

1329. The rest being putrid?—No. Then again, one-fifth, in round numbers, 112,000 lbs., were the meat of animals that had died either from accident or disease, and the rest was putrid.

1330. Of the meat of diseased animals condemned, can you tell us in what proportion were the different kinds of disease?—No, I cannot do that, I have not classified it in that way.

1331. Perhaps you can tell the Committee what diseases are most prevalent?—Yes; with bullocks, pleuro-pneumonia is undoubtedly the disease which is most prevalent: amongst sheep, the fluke in the liver and pleuro-pneumonia also; amongst pigs, I have found small-pox, and so also amongst sheep. I have had small-pox in sheep; these are specimens; they are not at all offensive. This is the case of a pig that was just going into a sausage shop, and would have been there in an hour (*producing the same*). It is covered with hundreds of pustules of small-pox.

1332. Lord *Naas.*] Is that part of the liver?—That is part of the skin. Then, amongst pigs, we have scarlet fever, and typhus; this is it (*producing the same*). That is typhus, the worst form of fever. The animals die in the course of a few days from it. Here are specimens of measles in pork (*producing the same*); these are the measles which have fallen out of it. That is the cysticercus, as it is called; it is really a tapeworm; this is what it becomes in the human subject after eating the pork (*producing the same*). These are the kinds of diseases which we find most prevalent.

1333. *Chairman.*] Among which kind of animals is disease in the largest proportion?—In pigs; taking the proportion in the quantity of the different kinds of food, there can be no doubt that pork, as a rule, is the most largely diseased; we do not seize so much pork as beef; but, taking the proportion seized to the quantity in the market, there can be no doubt that pork is the meat of all others which is most diseased.

1334. We will take pork first; you have seen the Bills which are now before the Committee?—I have.

1335. In what respect are the diseases which cause pork to be unfit for human food contagious or infectious?—You mean capable of communicating disease to the human subject?

1336. No, capable of communicating diseases amongst themselves?—The scarlet fever, that we saw some time ago, amongst pigs, and which I have no doubt was scarlet fever from my investigation of the facts, is undoubtedly communicable, and was communicated from animal to animal.

1337. Is that a disease common amongst pigs?—No; but it did make its appearance a year and a half ago to a large extent, and coincident with that there was an outbreak of scarlet fever in the metropolis. I cannot trace the connexion between them, but there can be no doubt of the coincidence. In the next place, there is a petechial fever; you see the spotted condition of the skin; that is a disease which is communicable. I have heard the evidence of Mr. Burge, and I have no doubt that what he says is perfectly true, that the disease is communicated very quickly to the pigs. Then, again, with regard to measles: although the measly pork is not absolutely either contagious or infectious from animal to animal, yet, considering that the excreta of one animal is very often devoured by another, and that they grub about amongst their food, there is no doubt the disease gets from one to the other in that manner; in fact, in Ireland it is a common thing for them to eat the excreta of the human subject affected with tapeworm. The pigs eat it, and get measles; and the man eats the pigs, and gets tapeworm; and so they keep it going.

1338. Do you mean that you attribute the existence of the measles in pigs in Ireland to eating human excrements?—Yes. At the same time I should say, it is a practice also to give pigs almost any kind of material for food. If an animal is affected with tapeworm, or it eats the flesh of another pig affected with measles, there can be no doubt that it would be communicable.

1339. I am

1339. I am speaking of the contact of animals in the market?—I think, with regard to pigs, that there are only these three diseases, viz., scarlet fever and typhus fever, and smallpox.

1340. So that with respect to parasitic disorders, which are communicated to the human subject by the consumption of diseased meat, no regulations as to the examination of animals on going to market, in order to prevent the spread of the disease amongst animals, would have any effect?—I do not think so. I do not think they would with regard to parasitic disorders.

1341. Is it the same with regard to the fluke?—With regard to the fluke, it is not communicable from animal to animal. It depends much on the pasture on which the animal feeds.

1342. You have now confined yourself to the pork?—Yes.

1343. Will you now take the beef. That which gives rise to the greatest proportion of disease in beef, as I understand you, is pleuro-pneumonia?—Yes. That, in my opinion, is undoubtedly an infectious disease.

1344. Is there a difference of opinion upon that point amongst people who have studied the subject?—I suppose I must admit that there is a difference of opinion, to a certain extent, on that point. Although I do not profess to speak with any authority upon the question of the disease of the lower animals, yet as far as I have gathered up evidence on the subject, and have observed the disease in our cowhouses, I have no doubt in my mind of the fact of its being a communicable and very infectious disease.

1345. In what way do you conceive that the powers given in the Bill which has been referred to us, to enable local authorities to appoint inspectors of markets, and to separate animals affected with pleuro-pneumonia, would diminish the amount of diseased meat sent to the London market?—I think it would diminish it in two ways, as far as I understand the powers that would be given in the Bill. In the first place, great precaution would be taken in regard to the means whereby the animals are carried, either by ship or rail from place to place; and that, when infected animals have occupied a ship or a railway truck, means would be taken for the purpose of disinfecting it. In the next place, the prevention of the herding of the animals together, the putting of the diseased animal into a place by itself, so as to prevent it from going in among the common cattle of the market, would be a very great means of preventing the spread of the disease. Those, as far as I understand the Bill, appear to me to be the great means whereby the spread of disease amongst cattle would be prevented. And so also the disinfecting of those things with which the animals have come into contact, which contain the infectious matter, and which give it to other animals coming in connexion with it, is almost as important as the separation of the diseased animals from the healthy ones.

1346. You lay great stress on the disinfecting of trucks?—I do.

1347. Have you any conversance with the import trade of cattle into London?—Not much.

1348. You have condemned, by your inspectors, great quantities of diseased meat?—Yes.

1349. Do you believe, notwithstanding, that any diseased meat is sold in London?—Yes; I think it is very likely; in fact, I know that, at the outskirts of the City, where supervision is not so strict as in the City, very large quantities of diseased meat are constantly sold.

1350. What measures do you suppose would be possible, in order to prevent that?—Only the appointment of an inspector, whose duty it should be, as in the City, to look to the markets.

1351. When you say the outskirts of the City, where do you mean?—Immediately on the outside, in Whitechapel; there, just beyond the Aldgate market, I know, as a fact, that diseased meat is sold. Persons knowing our practice will not venture to bring it into the City, in consequence of the strict supervision there. Again, there are slaughter-houses, one of which is just pulled down in Smithfield, where it was notorious that diseased animals were constantly sent, even from our own market in Copenhagen Fields, and slaughtered; and to these places large quantities of dead and diseased meat are frequently consigned from the country, and we had no power of touching it.

1352. That slaughter-house would have been in the metropolitan district?—Certainly.

1353. Are there not powers under the Act?—There are powers under the Act, and those powers appear to be sufficient for the purpose of preventing the diseased meat from being sold; but practically, in consequence of not carrying out the Act in a proper manner, they are inoperative.

1354. How would you remedy that; by legislation?—I think it must be first remedied by making it compulsory; that an officer should be appointed to make examinations of animals in the public markets. At the present time, as far as I know the practice, although the powers of the Act seem to be ample, yet as there is not an officer appointed distinctly to do that work, much diseased meat finds its way into the markets.

1355. Have you any difficulty in getting convictions?—We have great difficulty in getting summary convictions in one part of the City, by reason of the circumstance that the Act of Parliament is, I think, misinterpreted. In the first place, we have difficulties arising in this way: when meat is condemned, there are some salesmen in the market who never will give us the names of the people who have sent the meat to the market, and, therefore, we have no means of proceeding against them.

1356. In your opinion, is there any systematic practice adopted, of sending in diseased meat from the country?—There is to a certain extent; diseased meat is sent up with a sort of note occasionally, and, in fact, we have failed in our prosecutions by reason of this note; it is a note contrived to guard the salesman, as well as the sender, from any legal prosecution.

1357. A note from whom to whom?—From the man consigning the meat to the market.

1358. To the salesman?—Yes. I have here what was sent to me by the magistrates of Derby, and, therefore, I may take it that it is reliable. There was a conviction on the 12th of March last at Derby, and a man was fined 10*l.* for selling diseased meat. There was found upon him a note, from a salesman of Newgate-market, and this is it: "Your meat was first sold at 2*s.*; but it was brought back. I had no idea that it was full of physic. I was glad to get it off to a chopper at last." [A "chopper" is a sausage-maker.] "If the Inspector had seen it, it would have been seized. In future, when you have anything doubtful, send with it the following note, for your own protection in case of an acci-

H. Letheby, Esq., M.D.

31 May 1864.

dent. 'Sir, please not offer this meat for sale without the sanction of your Inspector. If not approved of, please do the best you can.'" We have failed in our convictions when this kind of note has appeared in evidence.

1359. Do you mean that is a form of note which could be produced by the defence?—That is so. A note like that has been produced in a case at the Old Bailey, and the judge has stopped the trial.

1360. Do you mean that was sent up with the understanding that the salesman should sell it without its being inspected?—I do not know whether I am justified in expressing my suspicions to that effect, but I know, as a fact, that they run the gauntlet, as it were; and if the meat is taken this note is a kind of protection

1361. In respect to the difference in the result of the cases which you have brought up, why should there be that difference?—I have felt so much difficulty in carrying out our prosecutions before the justices of the City up to last year, that I was the means of getting an improved Bill, the amendment of the Nuisances Removal Act, passed under the hope that we should be able to show that the sending of diseased meat to the City markets should be equivalent to the exposure of it for sale; and that, from the fact of its being sent dressed, as for human food, it should be regarded that the intention of the sender was that it should be sold as human food; and although we were rather careful in drawing up the Act of Parliament, yet at the present time that Act of Parliament is interpreted at one of the courts of justice in the city, viz., the Mansion House, very differently from the manner in which it is interpreted at Guildhall. In consequence of that, while at Guildhall the legal adviser of the justice considers the sending of meat to the market as equivalent to exposure for sale, the legal adviser at the Mansion House does not so consider it; and the aldermen have expressed their regret, on more than one occasion, on being advised by their legal officer, that they had no case, and were obliged to discharge the summons. We have therefore been compelled, to take all cases that occur on the eastern side of the City, excepting there has been an exposure for sale, and to make them criminal cases at the Old Bailey, at a considerable cost to the Commission; and I may say, also, at much inconvenience to those who were concerned in the investigation. That difficulty exists at the present moment. The Act of Parliament is not clear enough in regard to the interpretation of the clause having reference to the exposure of meat for sale.

1362. What has been the result of the cases you have had in the Old Bailey?—We have had altogether, in the City, 49 convictions for diseased meat during the last 3½ years.

1363. I mean, under the Nuisance Removal Act of last Session?—We do not take them to the Old Bailey under that; for it is a summary process; in fact the object of the Nuisance Removal Act is to do away with the necessity of a long and expensive process at the Old Bailey, and to get a summary means of convicting and fining.

1364. That Act of last Session, the Nuisance Removal Amendment Act, has failed?—It has failed in that respect; we are no better off now at the Mansion House than we were before this Act was passed.

1365. Mr. Alderman *Salomons.*] I convicted a case last week, when you were present?—Just so; I am saying so, I am saying that at Guildhall the legal adviser of the Justices interprets the sending of meat to London as equivalent to an exposure for sale, and we do get all our convictions at Guildhall, but we have few convictions at the Mansion House.

1366. Mr. *Cox.*] Does he so rule it if it is accompanied with that notice?—No, quite irrespective of the notice. I am talking of the case in which our inspector has seized diseased meat; where the salesman has given the name of the sender; where we have sent down either the inspector or the officer to inquire into the circumstances of the case; and where we have got the whole evidence pertaining to it, showing beyond all doubt that the meat was diseased, that the party sending it to London knew that it was diseased, and where, in point of fact, if there was a case put before the magistrate at all, there would be no doubt in our minds of a conviction; but, from the fact of its having been seized by the inspector directly the basket was opened in the market, the legal adviser of the Justices says that there has been no exposure for sale. I have here a note from the legal adviser of the Commissioners of Sewers in which he distinctly refers to this. Perhaps I may be permitted to read it, as it exactly expresses what I know to be the facts of the case:—"The Commissioners of Sewers of the City of London have, since the passing of the "Nuisances Removal Amendment Act, 1863," prosecuted many senders of diseased meat under its provisions; and, whenever they have succeeded in proving that the meat sent was actually exposed for sale, as in cases where it was hanging up in the shop or exposed on the board outside, they have never failed to obtain a conviction; but cases have arisen where the meat on its arrival at the City markets has been hung up in a slaughter-house, or has remained in a hamper until seen by the inspector and condemned, and in these and similar cases it has been held accordingly (at one at least of the City justice rooms) that in order to convict under the said Act, although the meat may have been sent up for the purpose of sale, the exposure must not be constructive or implied, but that the meat must actually be exposed to view in the part of the shop where meat is usually sold, and for the purpose of sale; and although cases have arisen where meat was actually hanging up in the slaughter-house with other good meat, and visible from the shop and accessible to intending purchasers, yet a conviction has been refused on this ground alone. And it often happens that a summons even will not be granted unless such an actual exposure has taken place; so that the worse the quality of the meat the less likely is it to be exposed for sale, and thus perhaps the most guilty sender escapes. It will be obvious from the perusal of the Nuisances Removal Amendment Act that the construction is a very strict one, yet it may well be doubted whether it is not a construction in accordance with the proper mode of construing such statutes, and whether the Act itself should not carry its own interpretation of the words "exposed for sale," and not leave such interpretation to the magistrate's clerk, who generally in practice decides such questions in the inferior courts of justice."

1367. Does that opinion apply as well to prevent seizure as to prevent penalty?—No; we seize. There is no hindrance to that; it only prevents the summary proceedings in a court of law.

1368. Mr.

1368. Mr. *Thompson.*] Can you destroy the meat, if you seize it?—Yes.

1369. Sir *William Miles.*] Having failed in summary convictions, owing to the construction of this Act, can you inform us how many cases you have taken, and how many convictions you have had at the Old Bailey?—Yes; we have had 22 criminal convictions at the Old Bailey, and, as well as I recollect, about 26 prosecutions.

1370. Mr. Alderman *Salomons.*] In what time?—Three years.

1371. Mr. *Cox.*] I thought you said there were 49 prosecutions?—Forty-nine altogether. I am now asked as to the Old Bailey. There have been 49 altogether in the course of the 3½ years; 22 at the Old Bailey, and 27 before the magistrate; and I think we have probably lost three or four cases before the court.

1372. Mr. Alderman *Salomons.*] Do you know any case of meat being seized in butchers' shops, not in markets?—Not to a large extent. Very little in the City. Nearly all our butchers are in the City. In Aldgate, many of the shops may be regarded as butchers' shops, because although wholesale business is done early in the morning, yet there is a very great deal of meat sold in the evening, in such a manner as to make the traffic that of a common butcher's shop. So it is also in Newgate Market, and we know of a great deal of meat having been sold on Saturday night, or condemned on Saturday night, when it has been cut up into pieces and offered for sale to the poor.

1373. My question was with regard to butchers' shops not attached to slaughter-houses. Those in Aldgate which you speak of are shops generally attached to slaughter-houses. Do you know of any instance of meat being seized in the ordinary butchers' shops?—In the City, no.

1374. Or anywhere else?—No; I do not think I have had any seizure in the common butchers' shops about the City, or to so slight an extent that they do not press upon my mind. I do not remember that there have been any.

1375. *Chairman.*] Are there any other difficulties in the way of your carrying out the prevention of the consumption of diseased meat in the City of London, other than those you have stated?—No, I think not; except this, that I find there is a quantity of meat sold out of our boundary over which we have no jurisdiction, and which is not inspected at all.

1376. With respect to the effects of the consumption of diseased meat, are you able to give the Committee any information on that point?—I think I can, not only from my reading, but from my own actual observation.

1377. The Committee would prefer having any facts that come within your own actual knowledge?—At the same time I must be permitted to take the privilege of a witness, and to state what is really a matter of well-grounded scientific knowledge, as well as that which is merely the limited result of my own observation; there is one case that has strongly impressed itself upon my mind. In the month of November 1860, a death occurred at Kingsland, under very peculiar circumstances, and I was requested by the coroner to investigate the facts of the death. I found that the man had died almost immediately, within two or three days, after having eaten sausages that they suspected were wrong, inasmuch as those in the house who had eaten them were affected, and those who had not eaten them were not; this led me to inquire further, and I ascertained that a man in Kingsland had made a large quantity of sausage meat on a certain day; that sausage meat was not only sold in the neighbourhood, but a portion of it was bought by another sausage maker of Ratcliffe Highway, and taken by him to Ratcliffe Highway, and there, most remarkably, when we came to inquire into the circumstances, we found that the same kind of disease from which this man had died, was spread about. We ascertained that of 66 people who had eaten those sausages, 64 were made seriously ill, and one of them died. There was a great deal of difficulty in my finding out more than the general fact that it was poor meat, very thin, of a cow, and so on; but I found afterwards, by a careful and strict investigation of it who sold that meat, and what was the nature of it; it was from an animal dying of pleuro-pneumonia at one of the London cow-houses; it was slaughtered while dying, and the carcass sent to market. Then again, I must tell you that in the course of my experience I have had a great number of instances in which people have been affected after eating meat; and although there is an extreme difficulty in being able to trace the relation between cause and effect in regard to meat, and the disease that follows upon it, for hours and sometimes days may elapse, yet I have had no doubt in my own mind from the number of cases coming under my own observation, that the meat brought to me for examination was the cause of the mischief occurring; so that I have that large case which is free from all doubt, that there were 64 people out of 66 made ill by sausages made out of the meat of a diseased cow, and, further, I have a number of general facts about which I am equally convinced that diseased meat has produced a great deal of mischief.

H. Letheby, Esq., M.D.

31 May 1864.

1378. That is with respect to pleuro-pneumonia?—Yes.

1379. What was the disease with which these people were affected?—They were affected with vomiting and diarrhœa, and great prostration of the vital powers. It was like cholera. Even the animals, cats and dogs, that partook of it were said to have been affected. I examined the sausages very carefully. I thought, in point of fact, that the case was more like a case of mineral poisoning, and I made a very careful examination of it; in point of fact, it was only after that careful examination that I could come to the conclusion that it arose entirely from diseased meat.

1380. Were the sausages boiled, or eaten raw?—Fried or roasted, in the usual way.

1381. Were the symptoms that occurred after eating these sausages the same as would have occurred supposing any portion of the meat of which they were made was in a putrid state?—No. The sausages were not putrid. That I ascertained.

1382. You saw the sausages yourself?—I had them sent to me by the coroner. They were seen by the medical officer of the district, and examined by him; and I learnt from the whole of the evidence brought forward at the time that there was no putridity in those sausages.

1383. Therefore you have a direct chain of evidence, in your opinion, proving that the illness caused by the eating of these sausages came from the meat of which they were composed having been taken from an animal that was in an advanced stage of pleuro-pneumonia?—Yes, undoubtedly.

H. Letheby, Esq., M.D.

31 May 1864.

doubtedly. The whole chain of evidence was as complete as it could be.

1384. Sir *William Miles.*] Will you follow it up about cats and dogs; had it any effect on cats and dogs?—Yes. It was given in evidence at the inquest, that one of the sausages had fallen off the table, the cat eat it, and the cat was ill also.

1385. How did it affect the cat?—In the same way, with sickness and diarrhœa.

1386. *Chairman.*] Have you any other observations to make respecting the diseases produced by eating the meat of animals affected with pleuro-pneumonia?—I may say this, if I may be permitted to refer to that which is in print: Dr. Livingstone, who has had great opportunities of doing what we cannot do in England, watching carefully the effect of food on people partaking of it, because here people eat so many things, and the effects that follow one thing may be attributable to another; in Africa, he has had an opportunity of investigating this relation between cause and effect, and he states that throughout the whole of Africa, and among all classes of people, whenever they eat the flesh of an animal suffering from pleuro-pneumonia, however they cook it, they always have boils and carbuncles. That is in print. The missionaries have suffered from it; and it is so well observed a thing, that he comments upon it. He says, "there is a difference of opinion in France, but here, he says, we have an opportunity of getting at the truth better than in France, because we can see the relation between cause and effect." I may say another thing. I have taken the pains to go over the Registrar General's Returns from the year 1838, which I believe is five years before pleuro-pneumonia occurred among the cattle in England in an epidemic form. 1842, I believe, was the year when pleura-pneumonia, was imported into this country. Taking the five years from 1838 to 1842, the average number of deaths from carbuncle in England was not above 35 or 36; that is, if I take 100,000 deaths, and the average of the five years, only ten deaths would be from carbuncle. Then there follows three years, when we have no returns from the Registrar General in respect of this disease; but beginning again in 1847, and taking five years from that, the proportion of carbuncle deaths is more than twice what it was before. It is 26.

1387. Mr. *Caird.*] Twenty-six out of how many?—Out of 100,000 deaths. But carbuncle deaths do not at all represent carbuncle diseases, because, comparatively speaking, carbuncle, except it occurs in a low disorganised constitution, is not fatal; and therefore a single death represents an enormous amount of disease.

1388. It would bear the same proportion?—I suppose it would. I take the next five years, and the proportion has risen to 62. We have got from 10 to 26, and now to 62. During the next five years, and up to the present time, they are beginning to fall again, and we have got only 54. Perhaps I may be permitted to put that in. I have made a calculation as to another disease closely related to it, called phlegmon, a sort of boil, which again has risen in nearly the same proportions.—(*The same was put in.* Vide *Appendix.*)

1389. *Chairman.*] During the last year it has been on the decline?—Yes, during the last year only. In 1860 there were 247 deaths in England from carbuncle; and it has averaged about 250 deaths, we will say, for the last 10 or 15 years. In the last year of the Registrar General's returns, there were only 193 deaths from carbuncle, therefore the proportion has fallen off the last year only.

1390. Have you ever had a case under your own eye, of a death from carbuncle which you could trace distinctly to the consumption of diseased meat?—Never; and I shall not, until we get some means of making an experiment on the human subject; in fact, there are no means of arriving at such a conclusion, except by actual experiments. On the continent, experiments have been made somewhat in this way on criminals, and they have ascertained the relation between cause and effect, as regards parasitic diseases.

1391. Then on the continent, they have ascertained that carbuncle has been produced by the consumption of diseased meat?—I do not know that.

1392. The deaths from different diseases in England, vary from year to year, do they not?—Yes.

1393. For example, there is a disease called diphtheria, which has been very much more prelent of late years?—Yes.

1394. Can you connect the great increase of diphtheria with the diseases in cattle in any way?—Not at all that I know of.

1395. Would you put any great weight at the increase of any particular diseases, so parallel to the disease in cattle, unless you could bring a positive connexion between the two things?—Let me understand the question.

1396. Do you attach any great weight to the statistics respecting carbuncular disease?—Yes; I attach considerable importance to these statistics on two grounds. In the first place, there is what may be termed the indication from that which is referred to in the remarks of Dr. Livingstone. There comes then, a matter of observation from the Registrar General of England and Scotland, that carbuncle is largely on the increase. There comes another remark, that it has been largely on the increase ever since pleuro-pneumonia has come into this country.

1397. With regard to the foreign evidence of the relation between carbuncular disease and pleuro-pneumonia, is there anything more than the statement made by Dr. Livingstone?—No, there is not, as far as I know; as I have said before, there are no positive means of determining the relation actually between the taking of pleuro-pneumonic food and the production of carbuncle; there are no positive means of ascertaining it except by experiment, and I have never had an opportunity of determining it in that way. The production of carbuncular disease is slow, and it dates so long comparatively from the time of taking the meat, that we have very great difficulty in tracing the relation between cause and effect.

1398. With respect to foot and mouth disease, do you know any cases of injury to the health of the human subject by the consumption of the meat of animals affected with the foot and mouth disease?—No, I have no knowledge at all that the meat of an animal suffering from foot and mouth disease produces injury.

1399. With respect to the milk?—There, again, I have had no actual means of ascertaining that the taking of milk will produce thrush, but I have seen an outbreak of thrush, and I have traced the milk to a certain cowhouse, where

where I have found the animals suffering from foot and mouth disease, and the udder affected with it; I have no doubt in my mind that it was the cause of it.

1400. What is thrush?—It is somewhat like it; it is a vesicular disease like it.

1401. Mr. Alderman *Salomons.*] Was that a child or adult?—Children; I have seen it also in the cowhouses of London to a large extent.

1402. *Chairman.*] Is the foot and mouth disease very prevalent in the London dairies?—It has been, but it is not so now; they use more precautions; they are very much afraid of the introduction of an animal affected with foot and mouth disease; and the better classes of dairymen will take care not to bring a strange animal into the dairy unfil it has been kept for some time away, to ascertain whether it is suffering from disease; they fear, above all things, the entrance of foot and mouth disease into the dairy.

1403. Do you think that any regulations could be made for the inspection of animals previous to slaughter, and for the inspection of meat, which would sufficiently guard the public against the diseases which are produced by the consumption of meat unfit for food, without regulating the cattle markets and the importation of cattle?—I think, in the first place, that it would be well if all cattle imported into this country were carefully inspected. If I may be guided not only by my own knowledge on that subject, but by the practice abroad, it is the practice nearly throughout Europe to inspect very carefully the animals imported into the country, and in case of doubt to put them aside; and, in fact, in Austria, they will not allow any animals to go among the others till they have been in quarantine for 10 days. Wherever they adopt these precautions, I have no doubt they are the means of preventing the spread of disease. I think in all large towns, particularly where there are public slaughter-houses, or where slaughtering takes place in licensed houses, it would not be a difficult thing to make an inspection of animals, either before or immediately after slaughtering, and in that manner ascertain whether they are diseased. But then in a large part of England, in the scattered villages where slaughter-houses are, I hardly can conceive it possible to have an inspector who can examine the meat of animals slaughtered under those circumstances. Therefore, as I stated, although it would be possible in all large places to guard the public against the use of diseased flesh, by the appointment of an inspector of a public slaughter-house, yet it would be scarcely possible to do so in country places, excepting by the examination of animals in the public markets.

1404. And the examination of animals in public markets, as tending to prevent the spread of the disease?—Yes.

1405. That would only be effected to the extent of preventing the spread of infection?—And, so far, it would also be protective of the public, because, if the animal is not infected, the flesh is not infected.

1406. It would hardly be expected that all these diseases could be escaped by the inspection and separation of diseased animals?—I do not quite understand the question.

1407. Could you expect that any inspection of the animals that go to market only, would prevent this disease altogether?—I do not know about preventing them altogether, but I am sure it would prevent them to a very large extent.

1408. You think it would have the effect of very considerably decreasing the prevalence of these diseases?—I think so.

1409. By making people more cautious?—In the first place, farmers would not send them to the public markets, and in the next place they would know that the flesh of the animals would be confiscated. The animals would then have what they do not now have, a chance of being cured.

1410. Therefore, you would place very great stress on the advantage which the public would derive from the inspection of animals at cattle markets?—Yes; and not only the public, but my own impression is that the farmer himself would be a large benefiter by it, in the long-run.

1411. Why?—If you could prevent the spread of disease amongst the farmer's cattle, the farmer himself, under these circumstances, would be benefited by it.

1412. The farmer would lose less by disease?—Yes.

1413. With respect to importation, you said that you had not any personal knowledge of the present practice of the examination or importation of cattle?—Not much. Now and then, we are concerned with the Custom House officers, with regard to cattle imported into the Port of London. We have a little to do with it, but not much.

1414. Would you prevent any diseased animals from being imported?—Yes, I would. If you could prevent them from being imported, it would prevent them from coming into the country and spreading the disease amongst other animals; and, in the next place, prevent their being sold as food.

1415. Do you know the present state of the law respecting the importation of cattle?—Yes; I believe the Custom House authorities have the power at the present time, to a certain extent, of condemning diseased cattle coming into the markets; and there is a slaughter-house attached to nearly all ports in England, where the cattle are slaughtered. If found diseased, they are condemned. I do not know exactly the rule or regulation after the condemnation; whether the person to whom the animal belongs has the carcase I do not know. I am not acquainted with that part of the practice; I do not know whether there is a confiscation of it or not.

1416. You have paid great attention, I believe, to the regulations which have been adopted in foreign countries?—Yes; I have here the regulations of most of the continental towns.

1417. Perhaps you can furnish us with an abstract of it?—I have only my rough notes, translated from the original; but I will furnish you with an abstract of Switzerland, which is one of the best.

1418. Mr. *Cox.*] Have you got Austria and Prussia also?—I can also furnish you with them.

1419. Mr. *Caird.*] Is the general health of the City improving or otherwise?—I think it is improving.

1420. Do you know whether the outskirts of the City, which you refer to as the place where inspection was so badly managed, that a great quantity of diseased meat is sold, are less healthy than the City?—No, I cannot tell you that. I make a point of making no contrast of the sanitary condition of the City with that of places immediately adjoining. I do not think it is a proper thing to do.

1421. You made a contrast with regard to the quantity

H. Lethebу, Esq., M.D.
31 May 1864.

quantity of diseased meat within the City and outside the City, and it would be very interesting to know, whether the result of a great quantity of diseased meat outside the City would be a greater quantity of disease?—I cannot answer that.

1422. Have you any other case than that special one which you mentioned, of 66 persons being injured by eating the sausages made from diseased meat?—I have had, I may say, certainly, 50 such cases to investigate.

1423. Fifty different cases?—At different times, where meat has been brought to me when people have been undoubtedly made ill after eating it, and where it has been brought to me for the purpose of ascertaining whether or not there was anything in the meat which I could discover as the cause of the mischief. The meat had been cooked, and there is a very great difficulty in determining the existence of disease in cooked meat.

1424. Have you, in as many as 50 cases, been able to trace distinctly a particular disease to the fact of the persons having eaten diseased meat?—I have not, myself, traced the cases, but I must tell you that I have had a large medico-legal practice, where it has been my special duty to investigate the cause of what may be termed unusual diseases; I have had more than 50 cases where people have brought meat to me, and have said that they had suffered from it, and that all the family had suffered, and I have been requested to ascertain whether there was anything in the meat which had been the cause of the mischief; I have not traced it beyond that.

1425. You do not speak with the same distinctness on the 50 cases to which you refer, as to that particular case of which you gave us the particulars?—If there was a possibility, as in the case of acute poisoning, of tracing directly the relation between cause and effect, I should be able to answer your question very positively; but I have said, more than once, that so long a time passes between the taking of diseased meat and the coming on of symptoms, and so many circumstances intervene in the course of that time, that it is a most difficult thing, I may say, perhaps, generally an impossible thing to trace the relation between cause and effect; and however strong may be the impression on our minds on the subject, and whatever may be the opinion of it, it is, after all, but an impression and an opinion, for we cannot positively trace the relation between cause and effect.

1426. Is it within your knowledge, that the consumption of animal food has much increased within the City, of recent years?—I do not think it has very much, I cannot speak from memory; but I took some very careful means of investigating the proportion of animal food made use of by the inhabitants of the metropolis, and the inhabitants of other capitals of Europe; and although we make use of a good deal more flesh than others, yet I do not think that the proportion is increasing very much.

1427. I mean, increasing within this metropolis, not as compared with other countries?—No, I do not think it has very much; I will not speak positively on that point, because I have not my notes before me.

1428. Does your experience extend over a large portion of the lower class of the population?—Yes.

1429. Sir *William Miles.*] Has the consumption of meat increased with the increase of population?—Yes.

1430. Not more than proportionately?—No, I think not.

1431. Mr. *Caird.*] Are we to understand that, whilst the total consumption of animal food in the Metropolis has increased, you do not think it has increased in a greater proportion than the number of consumers?—No, not per head, I do not think it has much.

1432. Do you think, among the lower classes of the population, so far as you are conversant with their habits, the consumption of animal food has not increased in recent years?—I do not think it has much.

1433. Has there always been a large consumption of animal food amongst the lower classes of the population of the metropolis?—An irregular consumption. It is a consumption, perhaps, for a day or two in the week. There has never been a large consumption amongst the lower classes. The practice of the poorer classes is, generally speaking, to have meat only on a Sunday, unless comparatively well off.

1434. Mr. *Beecroft.*] You laid great stress on the necessity of disinfecting railway trucks. What means would you take for that purpose?—There is not much difficulty about it, and it is not a very expensive process. The washing of the trucks with water in which there is a little chloride of lime would do it, and not take any time; cleansing out the litter about the truck, and then mopping the truck over the surface of it with a weak solution of chloride of lime. We keep down infection in public hospitals by merely washing the floor with water and a little chloride of lime, and there would be no more difficulty in applying it to a truck.

1435. Would you apply that process previous to every journey?—I think it would be advantageous, and I do not see how it would be a hindrance to trade. I do not think it would be an objectionable thing, under all circumstances, to disinfect or wash a truck.

1436. You do not mean to say that it is necessary in every case?—We cannot judge of the necessity. If we knew there was no necessity for it, there would be no occasion to do it.

1437. How are we to find that out?—The difficulty is of that kind that I say it involves the necessity of doing it always.

1438. Doing it how frequently?—After every time that the animals have been carried, just as railway carriages are washed down when they come into London, so there would be no difficulty in mopping over a railway carriage conveying cattle.

1439. Would it not be sufficient to water it?—No, not water alone. I do not think that water alone has the power of destroying the infectious matter.

1440. Do you think a small quantity of chloride of lime would be sufficient?—Yes, half a tea-cup full in a pail of water would at once disinfect a truck.

1441. What would be the expense of the mixture for each truck?—I am not prepared now with the exact price of chloride of lime although only a short time ago I was going into that. I should say half a tea-cup full of chloride of lime would not cost a farthing; I will furnish you with the exact price. I think I may say certainly it would not cost a farthing, and I think very considerably less than that.

1442. For

1442. For each truck?—For each truck. I will get exactly the amount.

1443. Mr. *Thompson.*] You said you had had some cases of small-pox in pigs lately; is that complaint increasing?—No, it is not increasing amongst pigs; it comes as an epidemic now and then. I have not seen it for nearly 12 months.

1444. In the case of disinfecting trucks, you say you think it very desirable that it should be done; have you any facts showing the necessity for it?—Yes; not facts coming immediately under my own observation, but they are what may be termed well recognised facts; and it is this, that animals coming into the public markets by railway do manifest disease in a very short time, and there is no other way of accounting for the existence of that epidemic and infectious disease amongst them but by the taking of it from the trucks, or from other cattle.

1445. In case of their taking this epidemic from the trucks, do you state that they would show it on coming off their journey?—Not immediately.

1446. Would not the time of incubation be longer than the time of the journey in all cases?—Yes. A cowkeeper, for example, buys a cow in the metropolitan market; he has all the evidence as far as he can get it that that cow is not affected with disease, and yet it shows the disease a week after it comes into his dairy, and there is every reason for believing that that animal has caught the disease from the trucks or from the market, or from its association with other animals in the market.

1447. You stated that half a teacupful of chloride of lime, you think, would be sufficient, mixed with a sufficient quantity of water?—Yes.

1448. You are probably aware that the trucks have a good deal of dirt in them?—Yes.

1449. The mixture, therefore, of so small a quantity of chloride of lime, would probably make it of very little use?—I do not say that.

1450. Unless the dirt was entirely removed first?—Yes. You must shovel out the dirt from the truck, and then having mopped over the truck with chloride of lime, there would be no difficulty.

1451. In fact, the truck must be thoroughly cleansed in the first instance, and then washed over with a solution of chloride of lime?—No; there is no necessity for thoroughly cleansing the truck in the first instance. I think if the dirt and litter at the bottom of the truck is well scraped out first, and then the truck mopped over with a solution of chloride of lime, and the remainder of it thrown on the bottom of the truck, it would guard against infection.

1452. Mr. *Holland.*] Your inspectors, of course, are professional men?—They have been butchers.

1453. Not veterinary surgeons?—No.

1454. In legislating upon this matter in connexion with the amendment of the Nuisances Removal Act, you would have diseased meat seized on the premises anywhere?—I do not say that exactly, because that would be seizing it in a man's house for example; but I would have it seized in every place which is used for the sale of meat.

1455. You would have no reference to the fact of its being exposed for sale?—Not at all. There is our difficulty at the present moment, that if the diseased meat is sent to London, and the salesman exhibits it for sale, he is the guilty party, and has to bear the brunt. If it is not exposed for sale, they will say at the Mansion House you have no business with it. I think, therefore, that the interpretation of the Act should be, that the sending of meat to a public market for sale, should be equivalent to exposure for sale; that is, that all meat sent to a public market, or to a slaughter-house, or to a place where meat is sold for human food, should not only be subject to seizure and condemnation, but that it should be considered, when found there, as having been exposed for sale. You will thus throw back on the party sending it the answer to the question why he sent it.

1456. Sir *William Miles.*] Do you think if a clause of an Act of Parliament was framed so as to make the very reception of unwholesome meat by the salesmen in London unlawful, except that having received that unwholesome meat he gives notice of it to the inspector, that that would be wholesome?—No; I think that would be too severe on the salesman. I think, considering the immense business done in our large markets in London, the salesman would have a very difficult and perilous duty to perform, if he was to be held responsible for all bad meat that comes to him, unless he gave notice to the inspector.

1457. Then, wherever the sender might be, you would make him liable?—I would make the sender liable for meat sent into a public market, dressed in the manner in which meat is dressed for human food, and sent to the market for sale. I would make him answer the question, why he sent it there; and if he could not show to the satisfaction of the magistrate that he did not send it for human food, it should be taken for granted that he did.

1458. Mr. Alderman *Salomons.*] Is not that the law now?—No. We have had our cases dismissed on this very account.

1459. Sir *William Miles.*] May I ask you how long has the small-pox been prevalent in pigs, to your knowledge?—I cannot tell you that; but there are outbursts, every now and then, of small-pox. Thre was one a year and a half ago. We saw several cases of it. We have considerable difficulty in tracing it. When we seize animals of that description, there are some salesmen in the market who will not give us the names of the parties sending it. They consider it quite enough that the meat is confiscated and destroyed. They will not give us the names of the senders, and in this case we were unable to trace the place from whence these pigs came; I cannot tell you to what extent it raged.

1460. Was it at the same time that the small-pox in sheep was prevalent?—A little after the small-pox was prevalent.

1461. Has it now ceased?—I have not seen either the small-pox in sheep or the small-pox in pigs for some time.

1462. I understood you to say, that as far as the milk produced by cows that had the foot and mouth disease is concerned, you do know one instance in which the children were affected very near to a dairy in which the foot and mouth disease was prevalent?—Yes.

1463. Having discovered that, did you make inquiries whether the district that was immediately affected with the thrush had their milk from the dairy where the cows were so infected?—That was the way; on inquiry into it, I traced it to the dairy.

1464. Sir *Thomas Burke.*] You have had great experience in pleuro-pneumonia?—I have seen a great deal of the meat of animals suffering from pleuro-pneumonia.

H. Letheby, Esq., M.D.

31 May 1864.

1465. But not many animals opened?—No.

1466. Could you describe to me the difference of the blood and flesh of an animal that has had physic or turpentine, or an animal with pleuro-pneumonia, or an animal slaughtered that has had no physic?—You mean, how should I know that the animal had had physic?

1467. Yes?—I am able to determine that very accurately, so much so as to settle disputes between the inspector and salesman. When animals are fed on rape cake or turnips, the flesh often acquires a peculiar odour, and I know some instances in which the inspector has condemned the meat because of that odour; but I have had no difficulty in exactly bringing it to its proper point, and have again and again dealt with that question; we can get at it by a process of distillation, and determine whether it is turnips or physic: there is a little difference in the smell of the meat in the two cases, but I would not rely on that so much as on analytical investigation.

1468. In the case of the sausages you mentioned just now, was the animal slaughtered?—Yes, in a dying state.

1469. That animal might have been a month in that state?—Yes.

1470. Did you make any inquiries as to whether that animal had ever been physicked?—Yes; not only that, but I made an analysis of the sausages.

1471. And there was none?—No.

1472. You mean to say that in this case of pleuro-pneumonia, you believed that those sausages were from an animal in the last stage of pleuro-pneumonia without physic?—Yes.

1473. Mr. *Cox*.] Do you know how many tons of meat come to the London markets annually?—I can give you about what comes a week, and you can multiply that by 52. The quantity of meat that is sold in the City markets weekly is as nearly as possible 1,000 tons, as far as my inquiries have gone. In the year 1860, when I was gathering information for evidence in regard to the new meat market, I made very careful investigations into it, and I found that from 500 to 600 tons of meat were pitched into Newgate Market every Saturday by about four railways and six principal carriers, and other parties bringing it there, amounting to about 1,000 tons a-week.

1474. You would call it 52,000 tons a-year?—About that, I suppose.

1475. Then you would not agree with Mr. Pearson's calculation, who made it not less than 80,000, and not more than 120,000?—There is a very great deal of difficulty in getting at the knowledge of the exact quantity of meat coming into the City markets. In the first place, the business is carried on in such a hurried manner, that it is hardly possible for people to know the quantity coming there. It is all bustle and confusion; and I tell you, I devoted considerable attention to this subject in the year 1860, for evidence before this House, and that was the result.

1476. Did you obtain any return from the salesmen themselves as to the quantity they sold?—I could not get any return from the salesmen. The quantity I got was from the inspectors.

1477. Your calculation would be that you have 52,000 tons in the course of the year?—Yes.

1478. That is 178,000 tons in the 3½ years you have been telling us about?—I suppose so.

1479. And you have seized and condemned 270 tons during that 3½ years?—That is so.

1480. I took it down; you said about 270 tons in the 3½ years?—Quite so; I say this in explanation, that in the year 1862 we seized, in round numbers only, 110,000 lbs. of meat; last year we seized nearly double that, viz., 210,000 lbs.

1481. You used the words 270 tons in 3½ years? Yes; but I must explain the answer to the question to prevent any misconception of the answer that I have just given in regard to the relation between the quantity seized and the quantity diseased.

1482. No; the Committee will draw their own opinions to that. I ask you whether in the course of the 3½ years you have seized and condemned more than 270 tons?—No; I tell you as a fact, that during the last year we have seized twice as much as the year before, and therefore there must either have been more sent to the markets, or we are looking better after them.

1483. Of that 270 tons, how large a quantity was delivered to your inspectors by the salesmen themselves?—I could not tell you that without going over all my papers; I can give you a rough guess. I tabulate the whole of this every week.

1484. That word "seized" has got you into a good deal of trouble?—I always used the word "condemned."

1485. Of the 270 tons that have been condemned or seized in 3½ years, how much of it, as near as you can remember, was delivered up to the inspector without his knowing anything about that it was to be delivered?—That is after the salesmen called the attention of the inspector to it?

1486. Exactly?—I should say four-fifths, if not more than that.

1487. Then there would be only four-fifths of 270 tons absolutely seized by the inspectors against the will of the salesman?—That is lately, but formerly it was not so.

1488. Out of that one-fifth, did those inspectors ever make a mistake as to whether the meat which they so seized was or was not bad?—There have been, I should hardly call them mistakes, but rather questions which have arisen thus. The inspector has said in regard to animals condemned, I will not say seized——

1489. I am not speaking of animals now?—Will you allow me to go on in my own way? I say that there has sometimes been a question between the salesman and the inspector as to whether the meat is unsound or not, and cases where it has been a question whether there has been physic or not, and it has been referred to me to determine that question, but there has been no mistake. It has been a mere putting off of the judgment, until I had, according to the terms of the Act of Parliament, made another examination of it.

1490. There have been 54 tons out of 270 tons absolutely seized. Can you tell us at what portion of that the question has arisen as to whether the meat was or was not sound?—It might have, probably, been altogether a couple of tons; I question whether so much as that.

1491. Did you ever make a mistake?—Never, to my knowledge.

1492. Did you not condemn some meat at the Guildhall Police Office, which the magistrate himself said was good?—No, the magistrate himself said, "I must rely on the evidence of the medical officer; it looks to me very good meat."

1493. Do you know what was done with that particular condemnation of yours?—No, I cannot say that.

1494. Well, I eat some of it?—Some people have long lives.

1495. The

1495. The only quantity on which the question has arisen between the inspectors and yourself has been as to two tons?—Not so much, I should think; in that particular instance you must allow me to explain. In that case the animal was suffering from pleuro-pneumonia. The animal was killed in its early stage before it had wasted, while the flesh was looking fat and healthy, but the whole surface of the lungs was covered with plastic matter, recently exuded.

1496. I am not speaking of this case?—That is the very one which I am talking of.

1497. The alderman got some meat at the place where it was tested?—I do not remember; I know that the question arose at that time.

1498. You have told us about these 64 people, who were ill in consequence of eating sausages, some of whom died; did you ascertain whether the whole of the meat of that animal was converted into sausages?—No, the fore-quarters only.

1499. Can you conceive it to be possible that there were some who eat other portions of the meat not in the shape of sausages, who were not affected in any shape or way?—I cannot tell you that.

1500. You did not investigate that?—No; it is impossible to say. Suppose the hind-quarters of the animal had been scattered over the whole of London; each bit might have produced irritation of the alimentary canal, but it would not have commanded attention. When the fore-quarters came to be made up into sausages in one locality, with those effects, then it did command attention.

1501. Do you know whether the man who died eat those sausages raw?—No, he did not, as far as I know; I believe he cooked them; I am not sure.

1502. Do you know whether he was drunk at the time?—No, I do not know anything of the kind.

1503. You have told us that there is a great deal of diseased meat sold outside the City of London?—Yes.

1504. And you would suggest the appointment of inspectors of slaughter-houses, as in the City?—Yes.

1505. And have markets in the City?—Yes.

1506. Do you mean this, that you would at every slaughter-house have an inspector appointed?—No.

1507. Will you explain what you mean?—In the City of London there are officers appointed specially for this work; out of the City the inspectors of meats and markets is the inspector of pavement and houses, and all kinds of sanitary work; he, therefore, is so occupied with other business that he cannot devote his attention to slaughter-houses. Take Whitechapel, for instance; the inspector of that district is a general inspector, not a special inspector. When I have spoken to the medical officer of that district in regard to the quantity of diseased meat which is sold there, his answer is, "I have no special inspector to look after it."

1508. You would have inspectors especially appointed for examination of meat and of slaughter-houses?—Yes.

1509. Have you any idea, or have you made any calculation of how many would be required, taking the circumference of the metropolis?—One of the first conditions, to render this suggestion workable, would be to bring the slaughter-houses together.

1510. You used the words "public slaughter-houses" just now; is it your opinion that public slaughter-houses should be established throughout the metropolis?—I do not suggest it, but it would be a very desirable thing.

1511. You used the words "public slaughter-houses?"—No doubt; I think it would be a very good thing if all animals were slaughtered in one locality.

1512. Suppose these inspectors to be appointed, would you allow them by law to seize any piece of meat that they saw hanging in any butcher's shop throughout the whole metropolis? Certainly; but in case of dispute, I would allow them always to refer the matter, as on the continent, that is, in the case of a dispute between the inspector and the dealer, it should be referred to an "expert" who should decide the question, and then the settlement of the payment should rest with the party in the wrong.

1513. I want now to carry your theory into practice; do you know Somers Town?—A little.

1514. Do you know a place called the "Brill" there?—No, I do not think I do.

1515. Do you know that there are a great many butchers' shops in that locality?—I cannot speak very positively.

1516. Where the cheapest meat in London is to be bought?—And the nastiest, I have no doubt.

1517. You do not know it?—I do not.

1518. Do you or do you not agree with the gentlemen who had told us that an animal slaughtered that had the foot and mouth disease, would produce illness in the person who eat it?—It might do so, but I have no knowledge of that.

1519. How, then, is it that you have a knowledge as regards pleuro-pneumonia, and not foot and mouth disease?—I have given you my reasons for coming to a conclusion in regard to pleuro-pneumonia. I take the cases that have actually come under my own observation. I take, in the next place, the fact that is now publicly well known, that in one part of the world wherever they make use of animals affected with pleuro-pneumonia they invariably have carbuncles; and I take the other fact that, most curiously, coincidently with the coming of pleuro-pneumonia among the cattle of this country, there has been a coming of carbuncle also.

1520. Can you tell the Committee whether there has been any increase in the disease called tapeworm, of late years?—I cannot tell you that. I have endeavoured to get at it, but it is very difficult to know that. There is an hospital in Great Ormond Street, called the Children's Hospital, where they have great experience; and they say that there is a great quantity of tapeworm among the children.

1521. At all events, you have not heard that there has been any increase?—No.

1522. You complain that the Clerk at the Mansion House rules that the sending of meat to the market is not exhibiting it for sale?—Yes.

1523. Would you have had all these men who sent the 216 tons, the salesmen having delivered them up, all prosecuted?—No; that does not follow at all from what I say. I say that, whenever we consider a case ought to be prosecuted, and it is taken to the Mansion House, we fail in the very first step of the process, by reason of the circumstance, that the legal adviser of the justice does not consider the sending of diseased meat to a City market as an exposure for sale.

1524. It would only refer to those 216 cases in 3½ years;

H. Letheby, Esq., M.D.

31 May 1864.

3½ years; there are 216 cases in which the salesmen have delivered over the meat to the inspector?—Yes.

1525. Would you have those people prosecuted?—I do not know what you mean about 216 cases; I have not said anything about that.

1526. To the extent of 216 tons?—Two hundred and sixteen tons.

1527. You said 270 tons, and four-fifths of it were delivered over to you, which I make to be 216 tons?—I did not say that at all. In point of fact, all that matter pertaining to the right or wrong of prosecution does not rest with me. But I do say this, that when the legal adviser of the Commission has considered it necessary to institute an investigation, it does seem to be an inconsistency in the progress of justice, if we find that at one court of law a different interpretation of the law is held to that at the other.

1528. Would you think it necessary, for the sake of 18 tons of meat, to make any alteration in the law at all?—Yes. I look at it largely. I consider it necessary that there should be an alteration of the law.

1529. For the sake of 18 tons?—No; I do not fix my opinion on 18 tons. I take a larger view of the question. I look at the whole question of the public health; to the whole question of what might determine the interest of the farmer, and at the whole question also of the well-being of the animal.

1530. As regards the public health, you told us that the people in the City were as well as ever they were?—It may be; but it does not follow that the diseased meat does not produce a great deal of mischief. Suppose there are half a dozen influences at work in the City of London, causing illness and death, and four or five of those influences are so ameliorated that you reduce the mortality and improve the public health, it may well be, with regard to the other influences over which we have no control, that there is an immense amount of increase, but it is more than neutralized and compensated for by the good we are doing in another direction; it does not at all affect the argument that the general health of the City is improving.

1531. Fifty-four tons is the quantity that in three and a half years has absolutely been seized by the inspector; I make that somewhere about 16 tons a year; do you think it necessary, or desirable, that a new law should be made to meet the case of that 16 tons?—You see it is not only with regard to the City. I am not speaking with regard to the City of London alone, but I must carry my mind to the whole metropolis. The 16 tons does not represent the whole of the metropolis; it is merely the condition of things in one or two markets of the metropolis; it does not exhibit the condition of things throughout the whole of London, still less throughout the whole of England. I should have a very narrow notion if I confined my opinion to the question of these 16 tons of meat; I was looking largely at it, and saying that in the City of London, with the means at our disposal, so much is done, but this does not in the least represent what is not done elsewhere.

1532. Sir *William Miles.*] What is the population of the City of London?—In round numbers, 114,000.

1533. What is the population of the metropolitan districts, distinguishing the metropolitan districts from the City of London?—In the proportion of about 114,000 to 2,800,000.

1534. Mr. Alderman *Salomons.*] Does not the greater part of the killed meat first find its way to the City market?—Yes; that is so.

1535. Are there any large meat markets outside the City?—No, not to any very great extent.

1536. Are there any large wholesale meat markets outside the City?—A few outside the boundary of Aldgate, and a few also outside the boundary of Smithfield. A very large slaughter-house and place where meat was sent is just now being pulled down, to make the improvements for the meat market. To put it in a general way, most meat supplied to the metropolis comes from the City market.

1537. Outside the City they are merely slaughterhouses, not markets properly so called?—No; they have been made the receptacles of dead meat from the country, as well as the place where animals are slaughtered. Since we have been strict in our examinations of meat in the City, a business has grown up of consigning bad meat outside the City to places where meat was formerly slaughtered.

1538. Do you think it is an inferior class of meat that goes there?—Yes.

1539. How many inspectors are there in the City of London?—There are two inspectors to do the work of the whole of the City, devoting their attention to the markets; and then we have two other inspectors, called the clerks of the markets, who render us assistance as well, so that we have the services of four inspectors, of whom two devote the whole of their time to it.

1540. In the City you are the referee?—Yes.

1541. Is there any inspection of a professional character outside?—Not systematically.

1542. Are these professional or unprofessional people, these inspectors who are not professionally educated men, seeing an animal hung up, able to determine whether it has died of disease or not?—Yes; not only whether it has died of disease, but whether it has been slaughtered in a state of disease; they can tell whether it is diseased or not.

1543. Can they determine also, when they see it, without referring to you, whether the animal is unfit for human food?—They can; but a dispute may arise between the salesman and the inspector in certain cases.

1544. Do you recollect within the last few months that there were two slaughtered animals, known to have died of pleuro-pneumonia, passed into the market and inspected, and that one was passed and the other was not?—I do not know of that.

1545. You do not recollect it?—I do not know it at all; I never heard it before.

1546. Do you not recollect that there was a case at Perth, prosecuted by the Commissioners of Sewers, where two animals had been traced to have come from one herd and went up to Newgate; that both were exhibited to the inspector, and one was passed and another was not?—No, I do not remember that.

1547. That they were both in the same state of disease; the prosecution took place, and the man was sentenced to twelve months' imprisonment?—I do not remember that at all; I remember a prosecution of a man for sending meat from Perth.

1548. You do not remember that there were two

two animals coming out of the same herd, and one was passed and the other was not?—I do not.

1549. *Chairman.*] Your inspector would not have the means of seeing the animals alive, but only the carcasses?—Only the carcasses, and moreover considerable difficulties arise, although practice enables them to overcome them. When they have carefully taken away all the diseased portions, the diseased liver, the diseased lung, and the diseased viscera, we can then only judge from the flesh; and it would be a very hard thing on a professor of pathological anatomy to form an opinion of a diseased man by seeing his legs only.

1550. Mr. Alderman *Salomons.*] Are there any entrails chopped up and made into sausage meat as well as the flesh?—No, I think not.

1551. It thereby might induce disease more than merely eating unwholesome food?—It is the flesh generally.

1552. Mr. *Leader.*] You spoke of diseased meat; do you call the meat of any animal slightly affected with pleuro-pneumonia diseased meat?—No, I do not say that; I do not go upon the general proposition that every condition of disease must render the meat unwholesome. It may be that at the very commencement of pleuro-pneumonia before inflammatory fever has set in, and while the animal is fat, that there may be nothing wrong about the meat. I do not say it is so, but it may be so. Then, again, when the animal has got over a disease and we find nothing but what we call old adhesions, then again we do not consider that unwholesome; it is only when it is suffering from acute pleuro-pneumonia.

1553. *Chairman.*] Do you consider the value of the inspection of meat in the City of London to be gauged by the number of tons of meat condemned?—The goodness of the meat, do you mean?

1554. No, the advantage of the inspection of meat?—No.

1555. Why not?—It does not at all represent what might be the condition of things if there was not a careful supervision; it only represents what has actually been condemned. It does not represent what might have been sent to market if there had been no supervision. I understand the question to be this: Does it actually represent what would be the condition of things, and what is its value in respect to all conditions? I say it does not. It only represents its value with regard to one condition, namely, that there is inspection at the present time. It does not represent what might be the condition if there were no inspection.

1556. Mr. Alderman *Salomons.*] But suppose the meat is exhibited to the inspector, and he is of opinion that it is not fit for human food, must it necessarily be condemned, or may it be sent back or sent to the knacker's yard: is it necessary that public condemnation should take place?—If it is condemned by the inspector it becomes the property of the City; it is taken by our contractor and destroyed. There is only one case in which we allow the salesman to have the meat, and that is where meat has become putrid on the road to market; we consider no blame attached to the sender, and we allow him to make a bargain with our contractor for the value of the carcasses.

1557. Then whenever an inspector is called in, the salesman is a party to it in some shape or way?—Yes.

1558. A salesman could not say to the inspector, "Will you just look at this carcass which I have had?" and then he say, "Some of it is not good, you had better send it back"?—They never send it back; whatever is condemned is taken possession of by the contractor.

1559. *Chairman.*] Have you any other observation to make to the Committee?—No.

Veneris, 3° *die Junii*, 1864.

MEMBERS PRESENT:

Colonel Barttelot.	Mr. Holland.
Mr. Beecroft.	Mr. Hunt.
Sir Thomas Burke.	Mr. Leader.
Mr. Caird.	Mr. Leslie.
Mr. Cox.	Sir William Mills.
Mr. Algernon Egerton.	Mr. Miller.
Lord Naas.	Mr. Alderman Salomons.
Mr. Hodgkinson.	Mr. Thompson.

THOMAS GEORGE BARING, Esq., IN THE CHAIR.

JOHN SIMON, Esq., F.R.S., called in; and Examined.

J. Simon, Esq., F.R.S.
3 June 1864.

1560. *Chairman.*] You are the Medical Officer of Health of the Privy Council?—I am.

1561. Will you explain to the Committee how the investigations into the diseases of cattle, and into diseased meat, originated?—I do not know that I can better explain it than by referring to the following sentence in my report on the subject made to the Privy Council last year.

1562. Mr. *Hunt.*] The report for 1862, I suppose?—Yes. "Allegations have, during the last few years, been abundantly made, and have, with the progress of time, become more and more definite, that the flesh of animals slaughtered while in a state of disease, and likewise the milk of diseased animals, are extensively sold for human consumption in the United Kingdom, the substance of these allegations has been submitted to the Lords of the Council," viz., by myself.

1563. *Chairman.*] It was under the instructions of the Privy Council that you caused the investigations to be made by Mr. Gamgee, an account of which is contained in his report?—Yes.

1564. You yourself included in your report some observations upon the subject?—I did.

1565. Will you tell the Committee what, in your opinion, present experience enables us to say is proved with respect to the effect of diseased meat on the health of the people?—First of all, perhaps, I ought to say that, in my opinion, a good many of the cases of injury to health which have been published and supposed to be from diseased meat, have really been injury to health from meat in particular stages of putridity. That has been especially the case, I think, with veal; perhaps, also with pork, but especially with veal. It seems to be liable, under some circumstances, to a peculiar kind of putrefaction in which it needs not necessarily be flagrantly offensive. If eaten in that state it injures considerably, or, perhaps, kills; and in various quoted cases of injury to health from meat, the meat that has been eaten has, I believe, been meat in that kind of putrefaction. Having cleared off that, the injury that really results to mankind from the consumption of diseased meat is, I think, of two kinds. First, there is the introduction of certain parasites; and, secondly, in some cases there is carbuncular infection. I think both of those are proved quite incontestably. As regards injury to the human subject from eating, in a cooked state, the meat of animals having different epidemic diseases (such as pleuro-pneumonia, aphtha, and the steppe-murrain), I am not in possession of any evidence of injury to human health from the consumption of that kind of meat. Steppe-murrain is not practically of much importance to us at present; it has not been in this country for a long time; but it is worth specially mentioning as, perhaps, an extreme disease of that febrile class. I believe that on various occasions steppe-murrain meat has been eaten on a large scale without obviously injurious results. In this country, certainly, the pleuro-pneumonial beef is eaten on a very large scale without obviously injurious results; eaten on so large a scale, probably, that if the results were injurious we could not help knowing it. That is to say, if the statements made about the prevalence of pleuro-pneumonia be moderately or reasonably correct, all of us must every now and then be eating pleuro-pneumonic beef. Every now and then, on a particular day, a whole household would eat it, and then, if the meat were capable of producing suddenly injurious effects, we should be having in the whole household an outbreak, as it were, of poisoning. I cannot say that there are no remote effects produced by the long-continued or large consumption of such beef; but the question put to me being as to what I considered proved, I say that it assuredly is not proved that the meats coming from beasts suffering from that class of disease is injurious to health.

1566. Perhaps before you go to the parasitic diseases, you will tell the Committee whether you think, from experience, it has been proved that the meat of animals having been killed in an advanced stage of pleuro-pneumonia is dangerous to health; whether, in point of fact, there is any stage of pleuro-pneumonia in which the danger to health from the meat of the animal commences?—For obvious reasons I cannot answer that question satisfactorily. How can one know? A butcher does not plead guilty to having killed an ox in a state of advanced pleuro-pneumonia; he does not give one an opportunity; he does not say, "Now you shall have an experiment; I will kill

kill this ox, and you shall watch the beef in its working." I have had no opportunity of doing that, and therefore cannot answer the question in a satisfactory way.

1567. Do you attribute the greater prevalence of carbuncular diseases of late years to the increased consumption of meat of animals affected with pleuro-pneumonia?—I think that, in the first instance, it is not very easy to be sure that there is a great increase of carbuncular diseases. I should speak hesitatingly about that. But if it be so, I do not know any reason for connecting it with pleuro-pneumonia. It is well worth inquiry; but I do not know any reason, certainly no reason that can be spoken of as scientifically sufficient, for connecting the two things.

1568. With respect to the aphthous disease, the foot and mouth disease; do you conceive that the meat of animals killed with that disease is injurious to health?—I have no evidence on the subject.

1569. Have you seen the French report on that subject?—Yes; as regards milk I quote the French report in my own report of last year. If aphtha was epidemic to the extent that is described in the report that I refer to, the report of M. Huzard in 1839, if the disease was thoroughly epidemic in Paris, of course plenty of beef that was consumed was aphthous beef. M. Huzard expressly states that there was no appreciable derangement of the public health. He states it in reference to the consumption of milk; but as he states without qualification that there was no derangement of the public health, that statement covers the beef as well as the milk.

1570. With respect to the milk; have you formed any opinion yourself as to the connection which has been traced, or said to have been traced, between the consumption of milk taken from cows who have the foot and mouth disease on the teats, with the outbreak of any disorders?—It is quite certain, I believe, that in some cases, the human subject has been infected by the milk taken from cows with aphtha. I believe that to be certain, but I do not think it occurs very frequently. The observations that I just quoted on the epidemic in Paris are conclusive on that subject, I think.

1571. Would boiling the milk entirely obviate any possibility of injury from its consumption?—I should think so.

1572. Generally, with respect to the meat of animals slaughtered in a diseased state, do you consider that the nutritive qualities of that meat are equal to the nutritive qualities of the meat of animals slaughtered in a sound state of health?—There is no definite knowledge on the subject.

1573. Will you proceed to state your opinion as to parasitic disorders?—As to the parasitic disorders, it is as certain as anything can be in science, that every tapeworm found in human bowels, was once a parasite in an ox or a pig, or some other animal used as food; that the larva of the tapeworm was swallowed alive, and was developed in the human bowels into ripe tapeworm. That I suppose is absolutely certain. Then, further, there is the disease which has lately excited so much interest in Germany, the disease which (after the little threadworm the *trichina spiralis*, which produces it) is called trichiniasis.

1574. What is the case which has occurred lately in Germany, and which has attracted so much attention?—The case which attracted so much attention was this: there was some celebration; I think it was the celebration of the Battle of Leipsic: last October, at all events; some German glorification; and a considerable number of persons sat down to the celebration. One hundred and fifty-eight people were taken ill after the festival: and of the 158 taken ill, and many of them very seriously ill, at least 26 died. That was traced to the use of a particular pig which had trichina.

1575. Mr. *Holland.*] Which was made into sausages?—Yes, and otherwise used.

1576. *Chairman.*] Do you mean that it was found to be so on examination?—It was found on examination. They traced it up to the particular butcher, who, I believe, also died of the disease. There was this great epidemic of trichiniasis, terminating in at least 26 deaths in one very inconsiderable place. It was in Hettstädt, in Prussian Saxony. It excited so much sensation in Germany, that there was a panic against pigs, and a panic against sausages. Pamphlets have been written on the subject by some of the first men in Germany. The professor of pathology in Berlin, perhaps the first pathologist in Europe, has written a popular pamphlet on the subject, which is in everybody's hands in Germany. Epidemics of this disease are constantly turning up in Germany. In a pamphlet that has been in my hands within the last few days, I observe there is a list of 17 or 18 different recent epidemics of this disease. Now it is important, in speaking of this disease, to remember that the disease has only very recently been recognised, so that, of course, swarms of epidemics must have been overlooked.

1577. You say that it was proved to have resulted from this particular pig?—Remains of the pig were found in a state of trichiniasis.

1578. And upon medical examination the deaths were proved to have resulted from the presence of this small threadworm in the muscles of the persons who died?—In the body of those persons.

1579. So that the chain of evidence was complete?—Yes.

1580. Has that disease appeared in this country to any extent?—We know very little of it in this country. It was discovered first of all, in this country, as a dissecting-room fact, some 30 years ago. We learnt that, every now and then, very rarely, the entire muscular system of the human being would be found pervaded by these almost microscopical threadworms. That was found some 30 years ago. Means did not then exist for connecting this *post mortem* appearance with anything that had been observed during life. It was found in a dissecting-room originally, by Mr. Hilton, of Guy's Hospital. It was not connected with symptoms during life. It was a separate fact: it was pigeonholed; but it had no practical importance till very recently. The whole development of the disease has been traced in Germany. The worm has been found migrating from the intestinal canal, which it had entered in food, and has been identified with the same disease of lower animals used as food. Experiments have been made by some German worm philosophers, on the way in which it spreads through the body, and the subject is now an important little bit of medical science. Till quite lately, till within the last two or three years, it was only a sterile microscopical fact, uncared for in medicine. No one knew anything about the

J. Simon, Esq., F.R.S.

3 June 1864.

way in which those creatures got into the muscles.

1581. Turning from the subjects on which you have given your evidence, to their application to the Bills which are before this Committee, and taking the parasitic disorders first, as being those of the greatest importance, are those parasitic disorders, the measles and trichina, communicable between animals; that is to say, would pigs with the measles, or pigs with trichina, being brought together in the same market with pigs free from those diseases, be capable of communicating the disease to the pigs that were free from it?—With trichina probably yes, if the pigs were long together; but then, although it would be so, that fact is of no practical importance, because you can scarcely tell during life that a pig has trichina.

1582. With measles?—No; that would not be communicable from animal to animal, except, I should perhaps say, in one respect. Pigs are fed on all sorts of filth. In a slaughterhouse, no doubt, pigs may contract a quantity of parasitic diseases from the parasitic offal that is thrown to them.

1583. The parasite is in such a stage in the pig that it cannot be communicated from pig to pig in the case of a measly pig?—No, not in the sense in which, for instance, pleuro-pneumonia or steppe-murrain would be communicated between two oxen. In that sense there is no communication of parasitic diseases.

1584. Mr. *Cox.*] It is neither infectious nor contagious?—Not in that sense.

1585. *Chairman.*] With respect to the diseases that are mentioned in and controlled by this Bill, putting aside sheep-pox and glanders, pleuro-pneumonia, and foot and mouth disease, you would say, with the present state of medical knowledge, have not been proved to be injurious to human health?—Those that are mentioned in the schedule?

1586. Yes (*handing a copy of the Bill to Mr. Simon.*)—You mean communicable by the eating of the meat?

1587. By the eating of the meat?—Glanders, of course, has never been tried. I have no knowledge that sheep-pox can be injurious when cooked. As to pleuro-pneumonia, I have no knowledge of its being injurious when cooked. The same as to aphtha, and the same as to steppe-murrain. As regards measles the case is different. Supposing thorough cooking of the meat with measles, the parasite undoubtedly is destroyed. But every tapeworm that a human subject has, came from an animal with measles. So, unquestionably, a large quantity of the larval tapeworm escapes death by cooking, and escapes it, no doubt, usually by the occasional practice (a practice not so common in this country as in Germany, but still an occasional practice) of eating meat uncooked.

1588. Mr. *Cox.*] Or not sufficiently cooked?—Or not sufficiently cooked. But I should imagine that the ordinary cooking of pork would kill measles. I think people very rarely eat fresh pork otherwise than quite cooked. I should, however, speak of measles, in this list, as proved to be dangerous to the public health. The others, I should speak of as not proved to be dangerous to the human health, in the sense of your question.

1589. *Chairman.*] With regard to the nature of the diseases, have you formed any opinion as to whether pleuro-pneumonia is a highly infectious or contagious disease among cattle?—It seems to me that the evidence collected by Mr. Gamgee, is conclusive on that subject. I think, too, that the experiments performed by the French academy were conclusive on that subject.

1590. Mr. *Cox.*] Conclusive, that they are infectious?—I think so.

1591. Mr. *Leslie.*] You confirm the evidence that Mr. Gamgee gave in that respect?—I am not competent to speak from personal observation of pleuro-pneumonia; I have looked at the alleged proof of the contagiousness of pleuro-pneumonia as I should look at alleged proof of the contagiousness of any human disease, and it seems to me that the evidence is quite conclusive.

1592. *Chairman.*] So that precautions with respect to the bringing of the animals affected with pleuro-pneumonia into contact with other animals would have a tendency to prevent the spread of that disease?—Undoubtedly.

1593. And the same with the foot and mouth disease?—And the same, I think, with the foot and mouth disease.

1594. Mr. *Beecroft.*] Do you know, from your own personal observation, of any cases of persons being affected after partaking of milk from cows having the foot and mouth disease?—Not of my own knowledge. In my report of last year, I quote a case of definite experiment made on the subject by a very competent authority, with the result of producing foot and mouth disease on himself and on his friend. This distinct experiment was by Professor Hertwig, a German professor.

1595. Do you know of any fatal cases arising from it?—No; it is certain that the communication of disease in that way is not on a very large scale, but I think it must be taken as quite certain that it does sometimes occur. I cannot say what are the circumstances that make the difference. A great number of the milk consumers escape, but I think it is quite certain that every now and then some are infected.

1596. Does it sometimes prove fatal to the cow having the disease?—I think hardly ever; I understand that cows get a great deal reduced by it; but I believe it is never fatal.

1597. I suppose, if proper precautions were used, the disease could be very soon abated?—It is not a very severe disease.

1598. Mr. *Holland.*] I would ask you whether fevered meat, meat of an animal that has died of fever, not with reference to any particular kind of fever, but in a high state of fever, would be unwholesome meat?—I should be very sorry to eat it, and I should be very sorry to give it to anybody to eat; but there is no proof that it is unwholesome when cooked. In dealing with questions of this sort, I think one must always allow for the possibility of meat being underdone; but I have no evidence that that quality of meat is hurtful to health. I take, as an extreme case, the case of steppe-murrain.

1599. Mr. *Cox.*] I do not know anything about steppe-murrain, I never heard of it?—It is an extreme disease of the class of cattle fevers, and the fact that I am going to mention is a very striking fact as against the immediate injuriousness of this kind of meat. A story which I have on the authority of Dr. Brücke, the professor of physiology at Vienna is, that some years ago, when steppe-murrain was prevalent in Bohemia, the authorities ordered the burying of the cattle, but the poor people dug up the dead cattle, cooked them

them and eat them without injury. I mention that particular case as being, in my judgment, an illustration, and an extreme one, of what may be expected to ensue from the consumption of that class of meat; that class of meat meaning fevered meat, meat of animals with pleuro-pneumonia, or aphtha, or steppe-murrain.

1600. With regard to this pig at Leipsic, was there any evidence with regard to the way in which it was cooked; was it eaten raw or cooked? —It was eaten probably in great part in an imperfectly cooked state, as what the Germans call Röstwurst. And a great deal was in other forms of sausage, some of which (though smoked) was, I believe, not cooked by heat. But it is stated that some persons suffered who eat the meat only in the form of boiled or roasted meat.

1601. And that was not sufficiently cooked to kill the trichina? — Not sufficient to kill the trichina, which appears capable of resisting considerable degrees of heat.

1602. In well cooked meat parasites would be killed by the process of cooking?—In thoroughly cooked meat (if that means a cooking in which every part of the meat has been exposed to a temperature exceeding F. 160°) I believe that the parasites would be killed. But it seems very doubtful whether, in ordinary cooking, this condition is fulfilled.

1603. Even measles in pigs?—Even measles in pigs; but I would beg leave to add that every parasite of that kind found in the human subject has clearly come uncooked; the tape worm in human bowels, and the trichina in human muscles, must have got in in that way.

1604. Mr. *Miller.*] Do you think salting alters the effect of it?—No, certainly not at once: there is a quantity of salting and drying and smoking that will kill trichinæ, and that will kill all parasites. But the slighter amounts of curing do not kill parasites. Where to draw the line I do not know. I ought, perhaps, to mention that we are having some experiments made in our office on the subject, in order that I may have better knowledge on that particular point.

1605. With regard to the mode of curing hams in Germany by smoking them, do you think the trichinæ in that case is not destroyed? — It depends on the amount of smoking. Some experiments have been made by the worm investigators of Germany on that particular point; they have made a sort of scale for the purpose of showing that after a certain quantity, but I am unable to say exactly what quantity, of smoking, the parasites are killed, and with less than that quantity they are not killed.

1606. Mr. *Leslie.*] You have said that you consider the evidence of Professor Gamgee in regard to pleuro-pneumonia is conclusive; and, as I understood you, you will not confirm that evidence as to infection; I ask you if you corroborate that evidence?—From personal observation, certainly not.

1607. Or knowledge?—Certainly not. I read it as I would read evidence relating to the contagiousness of our own typhus or small-pox, or anything of that sort. I consider it as a question of medical proof, and, considering it in that way, I think it quite conclusive.

1608. You consider it conclusive, yet you do not corroborate it; you do not support that evidence?—Perhaps I misunderstood you; I do not confirm it in the sense of being able to say that I myself have seen pleuro-pneumonia communicated between cattle. I have no experience of cattle. The kind of confirmation I am ready to give, is the confirmation of saying that I believe he establishes his case.

1609. That is the line of argument of Professor Gamgee, which you consider to be conclusive?—Quite.

1610. I am referring to Professor Gamgee's evidence before this Committee?—I have not seen that.

1611. If these sausages had been properly dressed, do you conceive that disease would have taken place?—If they had been thoroughly boiled or roasted through, if every particle of them had been exposed to a temperature of boiling water, I have no doubt the trichinæ would have been killed; but "cooked enough" is a very vague term. "Cooked enough," I suppose, must be understood, in this argument, to mean "cooked enough for the taste of the eater"; and if people have a taste that leads them to eat meat so imperfectly cooked, that parasites are still living in it, those parasites must be considered to be a danger to health.

1612. Have you known any cases arising in England, since the case you alluded to, in which, by dissection, trichinæ were discovered in the human subject?—Yes; it has on several occasions been observed; but, as I stated, has been observed only as a microscopical curiosity. It is an affection of the muscle that would very easily be overlooked. Every now and then we have stumbled on it in the dissecting room, or in the dead house, and have noted it as a curious thing, wondered how it got there, but not connected it with anything that has occurred during life. Within the last very few years, in Germany, means have arisen of connecting it with symptoms during life; and now it has taken a medical place, and become of considerable medical interest.

1613. But, as far as you have seen in England, do you conceive that any one case which you have seen has been the cause of death?—In the cases which I have seen, I have had no means of knowing what has been the cause of death; it has been in the dissecting room that I have every now and then come on cases where, on dissecting the muscles, I have found them filled with this particular parasite; I have had no means of knowing what were the symptoms of the patient during life. I may add that, from what has recently been learnt about the habits of this parasite, it seems that, when trichinæ exists in the state in which its presence would be likely to attract notice in a dissecting room, the period of its dangerousness to life has passed, and months or even years may have elapsed from the time when it was causing active symptoms.

1614. Then, if the Committee should think fit to recommend to the House of Commons any Bills on this subject, do you think that you ought to add this particular disease to those Bills? —For what particular purpose; as regards live animals, or as regards the meat market.

1615. Either one or the other?—I do not know any way in which the presence of trichinæ is to be suspected. Where we have experimentally produced trichiniasis, we can very easily prove that it exists; we have only to take out (as with a grooved needle) an atom of the flesh of the animal, and examine it, and we are very likely to find the microscopical parasite there. Supposing the question to be to condemn in a live meat market trichinous animals, it is of course quite impossible.

J. Simon, Esq., F.R.S.

3 June 1864.

It could not be done. But the Germans, under the influence of the great terror that this and some other epidemics have caused them, are establishing pretty extensively an inspection of pork in the dead-meat market.

1616. Still, you think it practicable to make provisions in the Bill for such a disease, either as regards live stock or dead meat?—I would not speak so positively to its being inapplicable to dead meat, but to live meat it is clearly inapplicable.

1617. Would you recommend it?—I am not prepared to recommend it, because I do not see how it can be carried into effect; but, at the same time, I look on the disease as a very real danger. When I think of the short time in which the disease has been recognised as a disease of the human subject for any practical purpose, and the quantity of epidemics of trichiniasis that have turned up, I cannot help seeing that it is a very serious danger among people who eat underdone pork, and to some extent a danger to all eaters of pork. I do not think it is likely to be so very serious a danger in this country, but in Germany it is a very serious danger.

1618. Mr. *Cox.*] A witness told us that, in his opinion, in no stage of the disease of pleuro-pneumonia could the meat of an animal affected with that disease be eaten with safety to the eater. Do you concur in that opinion?—No.

1619. To what extent should the disease of pleuro-pneumonia have proceeded in the animal that would make the meat of that animal safe to be eaten?—I have no evidence that would enable me to say that, at any stage of the disease, the meat, if properly cooked, would prove poisonous. But if I were the consumer concerned, I should be glad to have an opportunity of exercising my choice in the matter, whether I would eat pleuro-pneumonial meat or not.

1620. The same witness also told us that, in his opinion, it would not be safe to eat meat from an animal that had foot and mouth disease, in whatever stage of foot and mouth disease that animal might have been killed. Do you concur in that opinion?—I have no evidence that would lead me to say that.

1621. Do you believe that the meat of an animal killed, when subject to the foot and mouth disease, is in any stage of that disease injurious to human health?—I have no proof that it is injurious in any stage.

1622. Can you tell the Committee whether the disease of tapeworm in the human being has increased or decreased of late?—I have no means of judging; there are no statistics of tapeworm.

1623. I ask you the same question as regards carbuncle?—As to that there are better means of judging; but they are insufficient means, I think. There is an impression, I believe, that carbuncle has increased of late years.

1624. But what are the facts?—I should speak very doubtfully about it. The impression is founded, I think, on the returns of the Registrar General of deaths from carbuncle. I have not the statistics fresh in my memory.

1625. Do you know whether the health of the metropolis, during the last three or four years, has been better or worse than it was a few years previously?—I believe it has been decidedly better; comparing, say, the last five years with five years 20 years back.

1626. Do you speak now from a knowledge derived from returns, or as a mere matter of opinion?—From study of the subject.

1627. Do you think that the health of the metropolis has been better than it was; you were the Medical Officer of Health to the Corporation of London?—I was.

1628. I know that you took a great deal of trouble in ascertaining the fact; from the facts that came to your knowledge there, did the health of the metropolis become better instead of becoming worse?—The question is not quite as simple a one as it appears. I believe that some diseases diminished during the time you speak particularly of, *i. e.*, the time when I was connected with the City. There are some diseases that are dependent upon very defined, removable causes, and so far as those causes were removed, I believe that the health of the City improved.

1629. During the time you were medical officer to the Corporation, did you take any steps about the diseased meat in the markets in the City of London?—There was condemnation of meat. It began, I think, in the latter part of my time; and since then, has been more developed by my successor.

1630. Did you find, as a matter of fact, that the greater portion of meat which you condemned when you were medical officer, was voluntarily delivered up to you by the salesmen?—That was a matter of which I had no opportunity of judging. That was under the Inspector of Markets.

1631. But you had the condemnation, had you not?—No.

1632. You only had the condemnation in case any question arose?—I do not remember to have ever taken part in any such question.

1633. Did any question of the fact arise during that time?—I do not remember that any question ever arose.

1634. Mr. *Thompson.*] You have stated that you have no evidence to show the ill effects of the consumption of diseased meat, of cattle suffering from pleuro-pneumonia and foot and mouth disease; does that mean that you have no experience on the subject, or that you have had opportunities of watching the consumption of meat, from animals killed in an advanced stage of those complaints, which has proved harmless?—I mentioned that the case is one in which we may all be said to have a good deal of experience, if current statements are correct as to the great abundance of pleuro-pneumonic beef.

1635. I mean your own experience?—I have no experimental practice; no deliberately-made experiments to quote. But I apprehend that there can be none.

1636. Which meaning did you intend to attach to the answer you gave; did you mean that you had had no opportunity of seeing the consequences, or that, having seen them, you had no evidence to show that such meat was injurious?—I have had no opportunity of watching the effect that would be produced by giving to a human being cooked meat in an advanced state of pleuro-pneumonic disease.

1637. Or foot and mouth disease?—Or foot and mouth disease. I infer, and I think not unreasonably, that if a great quantity of that meat is in the market, as is alleged, the experiment is tried upon all of us very frequently.

1638. Mr. *Hunt.*] With regard to parasitic diseases attacking the human subject, do you find that more frequent in young persons than in adults?—I can hardly say that. Some parasitic diseases, undoubtedly, but not all; tape-worm I think not.

1639. Should

1639. Should you like to see the feeding of pigs with flesh prohibited by law?—I should like to see it done away with.

1640. Do you attribute a great deal of the diseases of pigs to feeding them upon diseased meat?—Undoubtedly.

1641. Is it profitable to give any meat that is not diseased to pigs as food?—I suppose not.

1642. And may we not assume that nearly all the flesh that is given to pigs is diseased?—Yes; I should think so. I can hardly conceive that a butcher would give a pig meat that could be turned to any other account.

1643. Or in a state of putrefaction?—Yes.

1644. That, you think, is a fruitful source of disease to man?—It is a fruitful source of disease to the pigs, and so far as man gets parasitic diseases from pigs, so far he is interested in the health of the pigs.

1645. Mr. *Cox.*] But it is not very fruitful in diseases to man?—No; not very abundantly.

1646. *Chairman.*] With respect to the examination of the meat of the carcasses of pigs affected with trichinæ, could that examination be carried on in any other way than with a microscope?—No, I think not.

1647. You would have to examine the muscle of the pig with the microscope; or what part of the pig?—The muscle.

1648. It would, therefore, be exceedingly difficult to carry out in practice?—Exceedingly.

1649. Mr. *Caird.*] In your position as a medical officer of the Privy Council, have you sufficient knowledge to entitle you to give an opinion as to the general health of the country?—I have tried to get that knowledge.

1650. Having that knowledge, do you feel yourself able to say what is the present state of the public health, as compared to what it was two or three years ago?—No.

1651. Taking any period of progress; 10 years back, five years back, and so on?—As compared with long times ago, I have no doubt that the health of the country has improved.

1652. Are you of opinion that, co-existing with that improvement, there has been an increased consumption of diseased animal food?—That there has been an increased consumption of pleuro-pneumonial meat, within the last 20 years, I have no doubt; although I have no evidence that, coincidently with that, there has been a development of any particular disease.

1653. I see that you summarise, in your own report, the evidence adduced by Mr. Gamgee in his report, which is in your appendix; and in that summary you state that Mr. Gamgee's opinion is, that as much as one-fifth part of the common meat of the country, beef, veal, mutton, lamb, and pork, comes from animals which are considerably diseased; even assuming that to be true, which we may, perhaps, hold not to be proved, the result is that the health of the country has not suffered in consequence?—I cannot say that.

1654. Is there any proof to you that the health of the country has suffered in consequence?—In order to answer the question properly, I should not have to look at the development of all diseases indiscriminately, but I should separate particular diseases. If the consumption of parasitic meat had largely increased, the question would be, has parasitic disease in the human subject also increased; I have no means of testing that.

1655. I allude to the general health of the country?—As regards the statistical evidence of the general health of the country, any effect produced by diseased meat would be quite lost or swamped by larger influences.

1656. The fact is, I suppose we may take it from you, that there is no proof that there has been any general deterioration in the health of the country?—Assuredly.

1657. But the contrary?—I would rather not say the contrary; but I have no evidence that the consumption of diseased meat on a large scale has produced mischief.

1658. I think you told us that, compared with 10 years ago, you conceived the general health of the country now to be superior to what it was then?—Hardly 10 years ago.

1659. Well, how many years ago?—We will take 50 years ago.

1660. Could you not come to a more recent date than 50 years ago?—Even in saying that I should have to speak with a good deal of hesitation; but still, I think, as compared with 50 years ago, the health of the country has improved. For instance, we have got rid of a good deal of small-pox in the last 50 years. That has had nothing to do with meat. With the improved drainage of towns, there is a great deal less fever, and a great deal less diarrhœa in some places. That has nothing to do with meat. Other influences of that kind have been in operation. When one looks at the total, and when one attempts to compare to-day with 50 years ago, to compare the two totals, one is very liable to deception from causes of that sort, if one tries to apply the argument to a minor influence, such as that of the consumption of diseased meat would certainly be.

1661. Can you not take a shorter period than 50 years ago?—Yes; I could take 20 years, or 15 years ago.

1662. Taking 15 years ago, is it your opinion that the consumption of animal food by the bulk of the population has increased within these 15 years individually, or no?—I believe that the consumption of animal food has increased in the last 15 years.

1663. And, so far as any proof that you have, without any increase of disease attending the consumption of that animal food?—So far as any proof that I have; but the diseases that can be propagated by diseased meat are diseases that would not show much in the large statistics of the country. The parasitic diseases would make very little show there; and another sort of disease that I have not mentioned would make very little show there; carbuncular disease.

1664. *Chairman.*] It is also to be recollected, I presume, that within that period of time a very great number of enactments and regulations respecting the public health have been brought into force?—Yes.

1665. Tending to reduce the mortality?—Tending very powerfully, where carried into effect, to reduce the mortality from certain causes.

1666. Mr. *Thompson.*] Might not the consumption of diseased meat produce ordinary complaints which would not attract your notice, such as cholera, and other diseases differing in no respect from diseases produced by unripe fruit or unwholesome food?—There is no evidence that it will do so, I think. The cases of that sort that have been quoted, have been cases, I think, of partially

J. Simon, Esq., F.R.S.

3 June 1864.

partially decomposed meat, not of meat in a state of disease.

1667. *Chairman.*] Have you any other remarks to make to the Committee?—In answer to your first question, I was speaking of the different kinds of meat *seriatim*. I have disposed of the putrid meat, the fever meat, and the parasite meat. With respect to the third sort of meat, meat with carbuncular disease, I think that there is a real danger to health from the consumption of meat from animals that have had some of those diseases.

1668. Mr. *Cox.*] What are those diseases which, in your judgment, produce carbuncular disease in the human subject?—That I know nothing about. I refer to the beasts with the disease. There are a great many diseases of various kinds that the veterinary surgeons group together as carbuncular diseases. Very probably, in relation to the present question, they ought to be distinguished by classification. Very probably they ought not to be lumped together in relation to the present question. But that some of those diseases make meat dangerous for consumption I believe to be proved.

1669. *Chairman.*] Are those diseases infectious amongst cattle?—Probably not communicable amongst cattle, except by contact. They are certainly not communicable in the same way that pleuro-pneumonia is.

1670. Would you recommend any legislative provision, in order to guard the public against the sale of meat from cattle that have been affected with these disorders?—Yes. I think that meat from animals suffering from that class of disease ought not to be consumed.

1671. You mean the carbuncular disease?—Especially some of them.

1672. Called, in the language of veterinary surgeons, "anthrax" and "anthracoid"?—Yes.

1673. Do you know enough about meat to be able to tell the Committee whether there is any particular appearance in the meat of animals that have been killed while diseased from that class of disease?—I believe that a good deal of that meat appears bruised; not only when you take the immediate neighbourhood of the carbuncular part, but when you take meat from other parts of the body, there is a great disposition in it to have minute bruises, and other anatomical changes, from pouring out of blood and jelly-like matter.

1674. Have you had any representations made to you as to the powers of inspection of meat which are possessed, for example, in the City of London, in the metropolitan district, and in all places where there are Local Boards under the Local Government Act, where the inspection has been faulty in not condemning meat of that class?—I have not full information on the subject. It would require, I should think, a critical eye to identify in the butcher's shop meat that had come from an animal with (say) anthrax fever.

1675. Looking generally, do you think that it would be advisable, as regards the public health, that the inspection should not be confined to meat in the butcher's shop, but should also be extended to those slaughter-houses in which animals intended for human food are killed?—I think that would be highly desirable.

1676. So that the living animal should be seen before the meat is inspected?—I think that would be highly desirable.

1677. That would at once guard against such cases as you have been mentioning, with respect to anthrax and anthracoid diseases?—Yes.

1678. Colonel *Barttelot.*] You say that a good deal of disease may be engendered by the meat being bruised?—I think I was misunderstood, perhaps, in answering that question.

1679. Perhaps you will explain what you meant to say?—It was in answer to the question, how carbuncular meat might be identified, or how it might be recognised. My answer was meant to be, that the general meat of the animal, not its carbuncular part (we will suppose that got rid of, and given to the pigs), but that the rest of its body will show a peculiar quality of meat to a person accustomed to it; it would show minute bruisings, and some sort of jelly-like stuff, among or in the muscles, and underneath the skin.

1680. In your experience, have you heard that a great quantity of bruised meat has found its way into the London markets?—Yes, I have heard that. It would not, of course, follow that all bruised meat is meat bruised in the sense of which I speak; a great deal of that might have been bruised with the driver's stick; that would not render the meat dangerous in the sense in which carbuncular meat is dangerous.

1681. Would meat coming by railway, that is bruised by jolting against the carriages, in the quarters, for instance, be unfit for human food?—I have no reason to suppose that that would be at all injured, any more than that which is chopped into sausages. It is a mere mechanical change of the meat. I have no reason to suppose that that would make it injurious to health; it would, very possibly, not be nice meat.

1682. Mr. *Thompson.*] I should like to ask you what your opinion is with reference to the kind of disease which is communicable. I wish now to refer to some evidence that has been given before the Committee. Dr. Letheby has told us that he knew of a case where 64 people were made ill by consuming sausages made from the meat of a cow which had been killed in an advanced state of pleuro-pneumonia, and when asked what was the nature of the disease he said, "They were affected with vomiting, and diarrhœa, and great prostration of the vital powers. It was like cholera." He also alluded to some other cases. When you said that you were not in possession of any evidence to show that such was the consequence of eating meat from diseased animals, did you mean that you were not aware of these cases?—Yes, I was aware of that fact; and it did not appear to me to be any exception to what I have said on the subject. I think, if you read the whole of that case, you will find that it was a consumption of sausage meat, and, I think, two animals were used in the sausages.

1683. Only one was mentioned, the fore-quarters of one cow?—Was not part of a pig used?

1684. Not according to Dr. Letheby's statement; it was the fore-quarters of one cow?—My recollection of the case, such as it is, is to the effect that it was compound sausage-meat. I am speaking from memory of some time ago, and I may be inaccurate as to details, but I am quite clear as to my conclusion, though not as to the grounds of it. Dr. Letheby was kind enough to tell me of the case; my impression is, that two meats were used, and that one of the meats was decomposed.

1685. *Chairman.*] Have you the particulars of that

that case in writing, so that they may be handed in to the Committee?—I will see; no doubt, I have.

1686. I understood you to say that, having looked carefully into the evidence, in your opinion, it was not proved that the illness resulted on account of the cow, the meat of which formed part of the sausage, having been killed in an advanced stage of pleuro-pneumonia?—If the case that is referred to is the case about which Dr. Letheby gave me some information, the evidence was not, in my opinion, satisfactory.

1687. Sir *William Miles.*] There can be no doubt, I think, in your mind, that the persons were affected by eating some meat?—No doubt whatever.

1688. And if a cat was similarly affected, from eating that meat, that would be an additional reason for you to state so, would it not?—Certainly; I have not the least doubt that the people suffered from the meat.

1689. May not this have occurred, which will bring your opinions together, that one animal, or two animals, might have died, or been killed, and sold to the butchers, who send off meat to town from the country; and from the high state of disease in which the animal that died of pleuro-pneumonia was in the country, the meat became putrid when it got to London?—The effects of ordinary putridity of meat are well known. It does not seem to me that they resemble those that occurred in the case referred to. With ordinary putridity of meat, as, for instance, when people eat high game and high venison, there is not an outbreak of that kind.

1690. I do not think that you quite answer the question?—Do you mean, may the meat have become putrid in consequence of its having been previously diseased?

1691. Previously diseased, and travelled on that?—It may have been.

1692. And if so, that would bring you both right?—I should be glad to refer to my papers, and see what note I have on the subject of that case; I think that I have a memorandum on the subject, for I was very anxious to inquire into all the cases that I could find on record of supposed injury from consumption of diseased meat.

1693. Mr. *Thompson.*] A question was asked you with reference to the bruises of cattle travelling by railway; you are aware, probably, that cattle are very much bruised by drovers with their sticks, in driving to market; have any cases been brought to your knowledge in which the bruises occasioned by railway travelling were of a different or worse character than those produced by sticks in ordinary driving?—I cannot speak from my own knowledge as to the bruising of cattle by drovers; I have no personal knowledge of it.

1694. Of either kinds of bruise, in fact?—No.

1695. Mr. *Cox.*] I am very anxious that it should be clearly explained to the Committee that in using the term "meat," in answer to Sir William Miles, you meant sausages?—Yes.

1696. Not the meat of the cow spoken of?—By the word "meat," I meant the meat as consumed, which I believe was in a state of sausage.

[At a later period of the day the examination of Mr. Simon was continued as follows]:

1697. *Chairman.*] Have you referred to your papers with respect to the case of Kingsland, of the sausage meat alluded to in your evidence?—I have; I found the note that Dr. Letheby was kind enough to write to me about it, and I found that he ascertained, but ascertained in a way that forbade him to publish the details, that the animal used for making the sausage, so far as it was a beef sausage, came from a pleuro-pneumonial cow. But, as I believed, it was a compound sausage, made in part of beef and in part of the fat of pork. That pork used for the sausage meat was several days old. It came from Scotland, and was in a state of, at all events, partial decomposition. So I dismiss the case from my mind as an experiment that can be deemed at all conclusive. There was used in the sausage an ingredient that one knows to be a very suspicious one as regards the production of particular symptoms in the human subject, partially decomposed pork. I will read the passage that is descriptive of the pork: "The pigs from which the fat was obtained by Mr. Pitchie, on October 29th, had been killed in Scotland and sent up to London by rail, had been probably killed three days before, that is to say, on the 26th; but had become muddled, that is to say, moist inside during the journey, but were otherwise very good, being of excellent quality, and were, in his opinion," (that is the butcher's) "quite fit for food." It was a compound experiment; the sausage, including beef that, probably, was pleuro-pneumonial, and pork that was partially decomposed; not a nice sausage, perhaps. I know that pork in that condition is capable of disagreeing with the human subject; but pleuro-pneumonial beef, so far as it has been tried, has not been proved to produce results of that sort, and therefore I consider the experiment inconclusive.

1698. Mr. *Cox.*] Did the information which you obtained at that time go as far as this, that you obtained information that other persons who had eaten the meat of that cow, not in the sausage, were affected in any way?—There was no evidence got on that subject; it is a pity that evidence could not be got; at least, I have not found it; I am not aware of any such evidence.

1699. Mr. *Hunt.*] Then it lies between the cow and the pig?—Yes; I am not sure that either was good sausage meat.

Professor JAMES BEART SIMONDS, called in; and Examined.

1700. *Chairman.*] You are a Professor in the Royal Veterinary College?—I am.

1701. And you have, I believe, for many years directed your attention to the different diseases prevalent among animals?—I have directed my attention throughout the whole of my life to diseases among animals; but I have especially done so, as a teacher of veterinary science, since 1842.

1702. So that you have at any rate more than 20 years' experience?—More than 20 years' experience as a teacher.

1703. Have you seen the two Bills which have been referred to this Committee?—I have.

1704. The

Professor *J. B. Simonds.*

3 June 1864.

1704. The Committee would be glad to have your opinion with respect to the different diseases which are included in the Bills, and I will first ask you with regard to sheep-pox: that is a disease with which you have had special opportunities of becoming acquainted?—I have had special opportunities of becoming acquainted with sheep-pox; but perhaps even greater opportunities in becoming acquainted with the other diseases named in this Bill.

1705. You were sent down to Wiltshire at the time when the outbreak of sheep-pox took place?—I went down in my private capacity originally, and subsequently I was ordered by the Government to carry on the investigations.

1706. Do you conceive that sheep-pox is a contagious disease?—Highly contagious; the most contagious disease with which we are acquainted in this country.

1707. How do you suppose it originates?—Invariably from the importation of infected sheep from abroad. Probably the disease is incubated at the time, and therefore cannot be detected by any system of inspection to which the animals are subject on arriving in this country.

1708. Are you aware that in the Report of the Commissioners of Customs, for the year 1861, they stated that there was only one case of sheep-pox discovered in any sheep imported during that year, and from that drew the deduction that no sheep with small-pox could have been introduced?—I have not seen that report, and I am, therefore, not acquainted with the details to which you refer.

1709. Would you suppose that the fact of not having detected sheep-pox in any sheep arriving from abroad would be conclusive of the point that no sheep affected with the disease were imported?—Certainly not.

1710. Why not?—Because, as I have already explained, during the time that the disease is incubated, it is perfectly impossible for any individual to detect it in the animal. The period of incubation varies from about nine to 12 days. An animal may, therefore, receive the disease on the continent, be shipped across here, and may find its way (presuming that it is not sold for the purpose of being killed) to a very far distant part of the country before the disease declares itself, so as to be manifest to an ordinary observer.

1711. You would, therefore, I apprehend, consider it advisable that measures should be taken to prohibit the importation of any flock of sheep coming from abroad, any part of which was affected with the small-pox?—Certainly so.

1712. With respect to the provisions of the Cattle Diseases Prevention Bill which refer to small-pox in sheep, do you apprehend that the provisions of that Bill are advisable in respect to sheep?—Quite so; they differ very little from the law as at present existing with regard to the small-pox of sheep.

1713. In what respect do they differ from the present law?—I am not prepared to say, without comparison of the Bill and the existing Act of Parliament; but, speaking in general terms, I know that they differ but very little.

1714. Are you conversant with the present Act of Parliament respecting sheep-pox?—I am conversant with it as a whole.

1715. Have you a copy of the Act?—I have (*handing the same to the Committee*).

1716. This Act, which is the 11th & 12th Vict., c. 107, contains the same clauses, or nearly the same clauses, as are in this Bill, with respect to penalties to persons turning out sheep with it on commons, and such like?—Yes.

1717. That could be exercised without an Order in Council?—That could be exercised without an Order in Council.

1718. And the clauses which give power to the Privy Council are enacted in this Bill?—I think there are no clauses in the Act limiting or specifying the powers of the Privy Council. I think there is only a general power given to Her Majesty in Council to order anything she may deem fit.

1719. The Bill before the Committee would specify the powers?—Yes.

1720. Taking, therefore, both the Bills before the Committee, with respect to small-pox, you would think that the provisions contained in them are right?—I think so.

1721. I will now ask you respecting the disease called pleuro-pneumonia. Do you consider that that is a very prevalent disease among cattle at the present time, in this country?—By no means so prevalent as it has been in former years. On the contrary, I believe that it is now less prevalent than it has been since its introduction, or rather since it first made its appearance.

1722. From what is your opinion as to its prevalence derived?—From communications I have had with veterinary surgeons, and from letters received from nearly every part of the country, and from my own investigations in nearly every part of the country also.

1723. Do you consider that the disease is one which is likely to vary in amount from year to year?—It does vary in amount from year to year. The class of disease to which pleuro-pneumonia belongs invariably is found to vary from year to year, as to its prevalence.

1724. Is it a disease which occasions great loss to graziers?—That will depend entirely on the severity of the disease, the number of animals which a man keeps, the way in which those animals have been managed, and whether he detects the disease early, and calls in proper advice or not. There are many circumstances which will have a tendency either to limit the amount of loss, or to cause that loss to be greater.

1725. Have you any statistics, or can we get any which can be relied on, as to the loss by pleuro-pneumonia?—I do not think there are any statistics which can be relied on as to the loss arising from pleuro-pneumonia. I may mention that there are statistics, so far as I have been able to obtain them, from some of the present existing insurance societies, which show that the losses from pleuro-pneumonia have been exceedingly trifling. I have a return from the Vale of Aylesbury, where, I think, no less than 11,460 animals were insured, and for ten months the loss by pleuro-pneumonia in that number only amounted to 51 cases.

1726. Have you a copy of the rules of that society?—I have a copy of the rules of the society here.

1727. Will you be kind enough to look at them, and see whether, as some societies do, they decline to insure any cattle when there is pleuro-pneumonia in the neighbourhood?—They do not decline, I believe, to insure cattle when pleuro-pneumonia is in the neighbourhood. The certificate states, that the animals are free from pleuro-pneumonia at the time when the insurance is effected.

effected. That is all; and that, I believe, applies generally to all the societies.

1728. They would not insure a herd with the disease?—They would not insure a diseased herd.

1729. Are you satisfied that pleuro-pneumonia is a disease which is very contagious or infectious?—It is unquestionably contagious, or, more correctly speaking, perhaps infectious. At the same time, there are numerous instances of the appearance of pleuro-pneumonia in this country, which cannot be traced to ordinary infection. The very circumstance of the disease appearing here before we had any importation of animals from abroad is of itself, I think, quite sufficient to show that it spreads at times from atmospherical influences in the same manner as cholera and other epidemics are known to do.

1730. You believe, then, that pleuro-pneumonia is a disease which can be produced without infection by certain atmospherical influences?—I believe that we have, so to express it, the seeds of the disease floating at times in the atmosphere. Probably, the source of the seeds of the disease may be animals infected with the malady, and that, in consequence of the commingling of this morbific matter with the atmosphere other animals take the disease. They would become more liable to it when exposed to any debilitating causes.

1731. When the disease has once originated, is it then a highly contagious or infectious disease, and easily communicated between animals?—Very much would depend on the nature of the attack; if the attack is mild, the capability of an animal so affected to spread the malady will be much less than when a severe case exists, and hence we find that in a more advanced stage of the disease, it is more easily communicated from one animal to another than in the early stages of the disease.

1732. You think that veterinary science has arrived at that fact, that a beast in the advanced stage of pleuro-pneumonia communicates the infection much more readily than a beast in a commencing stage?—It applies generally; veterinary science is not exclusive in that particular. Medical science has come to the same conclusion on all infectious diseases, namely, that in an advanced stage the disease is more easily communicated than in the early stage.

1733. Would you say that a beast in which the disease was latent and dormant, and had not appeared in anything that could be detected by the eye, could communicate it?—Certainly not; during the incubative stage of pleuro-pneumonia, as with the incubative stage of every other disease of a like kind, the animal in whose system the infection is dormant is perfectly incapable of communicating that disease; it is not until the disease has declared itself in a visible form that it can be communicated by that animal to another.

1734. Is it easy to tell whether a beast is affected with pleuro-pneumonia when it has arrived at the stage to which you refer as being visible?—In an ordinary case it would be tolerably easy to tell.

1735. A person with an ordinary knowledge of cattle would be able to say at once in a decided case, that the beast was affected by it?—In a decided case, a man with mere practical knowledge of cattle would be able to say that he believed the animal to be affected with pleuro-pneumonia.

1736. Turning to the provisions of the two Bills before us, with respect to pleuro-pneumonia, do you consider that pleuro-pneumonia is a disease which should be guarded against by the Legislature with penalties on persons bringing beasts in a decided state of pleuro-pneumonia to market, and exposing them to contact with other beasts?—I may be permitted to explain that on former occasions, when I have had the honour of being examined before a Committee of the House of Commons, I have given evidence to the effect that it would be consistent and right; but I am inclined to believe, from more extended observation and experience, that nearly all legislative measures will fail in arresting, to any considerable extent, even the dissemination of pleuro-pneumonia in this country. I come to that conclusion from the circumstance that we cannot legislate for a disease which is an epidemic just as much as it is an ordinary contagious infection, in the same manner that we can for a disease which is merely contagious. I also come to that conclusion from my knowledge with regard to the disease as it exists on the Continent of Europe; I know that there are measures in operation, in some parts of the Continent, which are far more stringent than the measures which are now proposed to be instituted by this Bill, and I further know that, notwithstanding those enactments have been in operation for several years, pleuro-pneumonia exists in those countries; and also that within the last four or five years pleuro-pneumonia has been introduced into Australia. The disease has been legislated for in Mecklenburgh, Holstein, Schleswig, and many other of the German States; and at the present moment in Australia the Act, which was passed only for a certain length of time, has not been renewed, because it was found to be totally inoperative for good in arresting the progress of pleuro-pneumonia.

1737. Lord *Naas.*] What colony of Australia was that you spoke of?—It is, I believe, Victoria.

1738. *Chairman.*] Would you, therefore, have no restriction on the introduction of beasts suffering from pleuro-pneumonia into any fair or market?—Yes, I would; it is a very difficult thing to legislate for, because there can be no question of this disease being contagious; animals brought into contact with an infected animal are very likely to take it; thus the disease is kept up, and it spreads to some extent; but, at the same time, I think that the provisions of this Bill are somewhat too stringent even with regard to pleuro-pneumonia.

1739. Will you point out to the Committee what part you think to be too stringent?—The Orders in Council. I will take only one, section 15, part 2: "Destruction and burial of any diseased cattle." Now, with regard to the destruction and burial of diseased cattle, I consider, after the long experience which we have had in this disease, that the burial of animals destroyed by pleuro-pneumonia, or ordered to be destroyed because affected with pleuro-pneumonia, would be a loss of so much food to the people.

1740. You would, therefore, consider that that power is too great to exercise in such cases?—I consider that power too great to be exercised for the extermination of pleuro-pneumonia.

1741. Do you consider that that power is too great

Professor J. B. Simonds.

3 June 1864.

great to apply to any disease; take sheep-pox, for example? — Not too great to be applied to sheep-pox, because sheep-pox is a disease that spreads in this country exclusively from infection or contagion.

1742. Have you looked at the first part of the Bill, at the penalties for turning out cattle, and so on; clause 5?—Yes.

1743. Do you consider that any part of that is too stringent in respect to pleuro-pneumonia? —No; I do not know that it would be, speaking in general terms; although it places difficulties in the way of a man dealing practically with a number of animals that may be affected with pleuro-pneumonia.

1744. Have you looked at part 4?—I have.

1745. Do you think that clause 15 is too stringent in respect to pleuro-pneumonia?—Your question refers, I believe, to the carrying of those animals by railway.

1746. No, it was as to part 4; but I will now ask you as to part 3: do you think any advantage would be gained by the cleansing of trucks and railway carriages?—Yes; there will be an advantage unquestionably; cleanliness is always to be recommended in everything, and there can be no doubt in the world, that if animals that are infected with certain diseases travel in railway trucks, and if those trucks are not kept tolerably clean, more mischief may be done.

1747. Have you any other observation to make respecting those clauses referring to the cleansing of cattle trucks?—I think that we should have a general penalty, perhaps somewhat more agreeing with the penalty for turning out, which is 20 *l.*, or sending into a fair or market.

1748. Will you go to the fourth part, which enables local authorities to appoint inspectors, and gives inspectors certain powers. Do you consider that the powers given to the inspectors under that clause are too stringent in respect to pleuro-pneumonia. The first power is to exclude from the market or fair any beasts that he may deem to be infected with any infectious or contagious disease. That would include pleuro-pneumonia?—Speaking especially with regard to pleuro-pneumonia, I think it is quite right that such an animal should be excluded.

1749. Would you make any distinction in regard to fairs and markets between a market for fat cattle and a market for store cattle?—It is very rare indeed that animals affected with pleuro-pneumonia find their way into fat cattle markets, if we except, perhaps, the metropolitan market and some other large markets in towns where cows are kept in considerable numbers. These cows, while giving milk in the dairy, are at the same time fattened, and they often during that period contract pleuro-pneumonia. In the earlier stages of the disease the man sends them to the metropolitan market, and he turns the animals to account in that way as soon as he can. I think, however, speaking in general terms, as I have just expressed it, that animals affected with pleuro-pneumonia very rarely find their way into a fat cattle market.

1750. You would then, qualifying your definition of pleuro-pneumonia, as you have done in the former part of your evidence, that it must be a beast in which the pleuro-pneumonia had arrived at a stage which could be easily detected, and therefore a tolerably advanced stage, you would consider that this clause would be right?—Yes.

1751. You think that a person would have no right to send into a store market any beast with a disease likely to become contagious and to spread, and therefore to damage his neighbours and those to whom he sells the beast?—Certainly not. I think that a man who sends an animal into a market affected with pleuro-pneumonia, knowing it to be affected with that disease, should be liable to a fine of fully 20 *l.*

1752. Let me now call your attention to the disease called the foot and mouth disease. Do you consider that that is a very prevalent disease among cattle at the present time?—It is prevalent, but not very prevalent at the present time, and by no means so much so as it was a year or two since.

1753. Is it not sometimes very prevalent?—It is sometimes very prevalent. I think I can give you the years that it has been so. It was extremely prevalent in the latter part of 1839 and 1840, having made its appearance here in 1839. It was again very prevalent in 1845, again in 1852, and again in 1861, and through the winter, going on into the spring of 1862, since which it has been declining very considerably.

1754. When you say it is very prevalent, have you been constantly to markets where there were a great quantity of beasts with foot and mouth disease?—I have.

1755. Have you seen markets, for example, in which half the market had it. I have not myself seen an instance of that kind, but I have heard that on the occasion of the market which followed the great market day at Christmas fully one-half of the cattle were affected with the foot and mouth disease.

1756. Do you consider that disease to be highly contagious or infectious?—Certainly not highly contagious or infectious; it is communicable by infection.

1757. Have you considered the clauses of these Bills respecting the foot and mouth disease?—I have.

1758. What is your general opinion with respect to those clauses?—That they are perfectly inapplicable to this disease, and if attempted to be carried out, would have the effect, I believe, of raising the meat here, perhaps something like 25 per cent. in price.

1759. Does that remark apply equally to the importation of animals with foot and mouth disease, and to the sale of them at different markets? —I think that if animals are permitted to be sold in fairs and markets in this country, in stock fairs and markets, as well as in the fat fairs and markets, that the same privilege should be granted to the importers of animals, whose animals may, perchance, become affected on the passage.

1760. Do you mean that no animal with foot and mouth disease, however bad, should be stopped on importation?—I think not.

1761. Would you draw no distinction between an animal affected with the disease when imported, and the rest of the cargo of the vessel. For example, a distinction might be drawn, enabling animals affected with the disease to be stopped, and the rest to pass?—Just so; there would be little objection, I think, to that, but I see no objection to allowing those animals that are already the subjects of the disease going on from the wharves to the metropolitan market.

1762. Your argument would be this, that if you

you allow a farmer in this country to send his beasts to a market affected with that disease, you ought to allow the farmer abroad to do the same thing?—Exactly so.

1763. Do you consider the foot and mouth disease has been imported from abroad?—Most decidedly not; the disease showed itself here in 1839; and was first seen in the county of Norfolk, and in a perfectly isolated part of the county, that is, so far as our ports are concerned, being about four miles from the town of Loddon. The very first cases of the disease appeared among some animals belonging to a Mr. Burton at a place called Langley Grange. He had at that time about 60 head of cattle on his farm. The list I have here has been furnished me by one of the family; it gives the breed of the different animals and the price they cost; the six working Devons, cost 72 *l.*, 14 shorthorns, cost 161 *l.*, twelve Scots, cost 150 *l.*, a cow, cost 11 *l.*, 13 other shorthorns, cost 149 *l.* 10 *s.*, and 12 other Devons, cost 173 *l.*; he had also two oxen which were grazing for Christmas. The disease broke out among the Devon cattle, and it subsquently made its appearance among the others, the two oxen which were being fattened for Christmas being the last to fall ill. In the course of a few days the cattle in the neighbourhood also became affected, and from that time the disease spread gradually over the country, so that by the end of 1839 and the beginning of 1840 the disease was rife in most parts of England. In 1840 it had become so prevalent that the matter was taken up by the Royal Agricultural Society; a circular was sent by the order of the council of that society to all its members asking for information on the affection, or as it was then called, the epidemic. These circulars were returned in due time, and a report was prepared and published by the society in its journal for the year 1841. The report was prepared by my late colleague, Professor Sewell. These facts, therefore, distinctly show that the disease existed in this country to a very alarming extent prior to the importation of any animals from abroad; for I need not remind the Committee that until June 1842 all oxen, sheep, and pigs were entirely prohibited; they were allowed to come in after June 1842 by the payment of 1 *l.* a-head on the cattle, and 3 *s.* a-head on the sheep. It was found that many did come in. That law was in operation until March 1846, when a free importation of animals was allowed, the immediate result of which was that we had more cattle, sheep, and pigs sent into England in one year than there had been for the three previous years and nine months. The number of animals imported from abroad during the three years and nine months when there was 1 *l.* a-head to pay on oxen amounted to 17,735 oxen and bulls, 9,063 cows, 749 calves, 19,635 sheep, and 2,626 pigs.

1764. Mr. *Cox.*] What years were those?—For the entire number of years from June 1842 to March 1846, when there was 1 *l.* a-head on cattle and 3 *s.* a-head on sheep. The duty was removed on the 19th March 1846, when for the year only, we had imported 17,191 oxen and bulls, 25,349 cows, 2,503 calves, 94,624 sheep, and 3,856 pigs, the numbers in that one year being therefore considerably above what they had been for the three years and nine months previously.

1765. *Chairman.*] The conclusion which you would draw from that would be, that the theory that the foot and mouth disease was imported from abroad, and derived by contagion from foreign cattle imported, would not be correct?—Certainly, it is not correct.

1766. I omitted to ask you the same question with regard to pleuro-pneumonia; whether you considered that there was sufficient evidence to prove that pleuro-pneumonia was not derived in this country from foreign imported cattle?—There is no evidence whatever to prove that pleuro-pneumonia was imported into this country; but there is tolerably good evidence to the contrary. In proof I may refer to a letter published in the "Veterinarian," of which, at the present time, I am one of the editors, by Mr. Ernes, a veterinary surgeon, living at Dockhead, who was selected by the Royal Agricultural Society to accompany me to the continent, some few years ago, to investigate the rinderpest, or steppe murrain, as it is called in this Bill. Mr. Ernes, in his letter, says, "Pleuro-pneumonia, another most fatal disease in horned cattle, was observed, to the best of my knowledge, in Ireland, at the close of the year 1841, and for a certainty made its appearance in our metropolis in January 1842." Besides this I myself wrote a letter, bearing date the 12th of October 1842, to Mr. Swinerton, a surgeon residing at Market Drayton, in Shropshire, who had written to one of my colleagues respecting his having made a *post mortem* examination of an animal affected with this disease, and in that letter I make this statement: "The disease, the morbid appearances connected with which have been so minutely described to you, is one which has been prevalent for a considerable time in different parts of the country, our attention having been directed to it nearly 12 months ago." This letter is published in the "Transactions of the Veterinary Medical Association" for 1842–3. So that the evidence, as far as it goes, proves that pleuro-pneumonia had a prior existence by fully a year to the importation of foreign cattle.

1767. Turning to the next disease that we have in the schedule to the Bill, which is measles, do you consider that any regulations as to the contact of pigs in markets can in any way affect the propagation of the disease of measles?—Certainly not.

1768. The next disease which we have in the schedule is steppe-murrain. Is that a highly dangerous disease among cattle?—One of the most dangerous with which we are acquainted. It is a disease known also, and far better known, by the term of "rinderpest," or, more generally on the continent as the "pest;" "rinderpest" signifying cattle-plague. This disease has scarcely had an existence, for any length of time together, for very many years, anywhere westward of a line drawn from Memel on the Baltic, to Trieste, on the Gulf of Venice.

1769. Would you conceive that the disease was of such a character as to justify its being treated in the same way as the worst of the diseases that we have in England, such as sheep-pox?—I see no objection to its being retained in the Bill; but no practical benefit, I imagine, can arise from it. It is just possible, in the event of a general European war, that we might, if, under such circumstances, we had any importation of cattle from abroad, get rinderpest into this country. It is among the things possible, and, therefore, for that reason, it may be retained in the Bill.

Professor *J. B. Simonds.*

3 June 1864.

1770. There is one disease, which is not in this schedule to the Bill, as to which I should like to have your opinion, *i.e.*, the scab in sheep; do you think that is a disease which is highly contagious?—Scab in sheep is a disease which depends on the existence of parasites, the parasite being of the mite class. The disease is contagious, because these parasites travel most readily from one sheep to another. I think it would be prudent to have more legislation on the subject of scab than now exists, because, by an old Act of Geo. III., chap. 65 (1778), it is provided that no person shall turn out any sheep affected with scab on any forest, and so on, using the general terms, without incurring certain penalties; and there is no provision whatever made against those animals being sent to fairs or market, so that in reality the law is defective in that respect. A man may put sheep in a fair, and place them by the side of other sheep where they would be likely to do a great deal of mischief, without incurring the penalty.

1771. You would, therefore, propose to include scab in the provisions of this Bill, in respect to fairs and markets?—With certain regulations in other portions of the Bill, I think scab should be included.

1772. Would you make any distinction between fat cattle markets and store markets, in respect of scab?—I do not think it would be prudent to do so, because it does sometimes happen that in what is called a fat cattle market, as, for instance, the metropolitan market, you have, at certain periods of the year, a number of sheep sent up, which are not sold immediately to the butcher, but which go into the neighbourhood of London for grazing. If those animals are affected with scab, they will lose condition very much, and will propagate the disease to the other animals in possession of the farmer, and thus cause a serious loss. You cannot, therefore, prevent the disease by making a distinction between the markets, and I think, consequently, that both fat markets and store markets should be dealt with in the same manner.

1773. Do you think that it would be possible, by any regulations, to separate a portion of a market in which diseased animals might be sold?—I do not think you could, except in very peculiar situations, and under very peculiar circumstances. I hardly think it would be possible to separate animals that are affected with disease, even in the Metropolitan Market, arising from the circumstance that all inspection, however perfectly it might be attempted to be carried out, must fail to some extent. A man cannot see every animal at the same time. Therefore, if animals are driven in and put into the pens, he may fail to detect scab, as well as other diseases. For that reason I do not think that you could properly separate what are called diseased animals from healthy animals, in a market where you have a regularly appointed inspector; and if that be the case with regard to such a market as the Metropolitan, it would be doubtless so with regard to fairs and markets generally in the country, because there is no system of inspection in hardly any of them.

1774. As I understand from your answer, you would rely more on the risk which would be occasioned to persons sending animals to market, if they were liable to be fined, than upon any or a very accurate inspection of each animal?—Certainly so: and the greater the necessity of examining the animals, the less power you have at your command to do it. For example, it is perfectly impossible to carry out a proper system of inspection, in some of our large stock fairs, Barnet, for instance, in the immediate neighbourhood of London, which is a large cattle fair. Or take Weyhill, which is a very large sheep fair, you would require at least seven or eight inspectors, and then you would have the thing very imperfectly done indeed; in fact, it would amount almost to no inspection at all. I am speaking from practical experience in this matter; I not only have gone into fairs and markets with a view of seeing whether the animals were, or were not in a state of disease, and thus, as it were, instituting a system of inspection, but during the prevalence of small-pox in Wiltshire, I was directed, both on the part of the Government, and also on the part of the local magistracy, to attend the large sheep fairs of Weyhill, Wilton and Appleshaw, and several others, and I do not hesitate to say that my examination of the animals would have been of no good whatever in these fairs, had I not previously been in possession of the facts as to the whereabouts of the disease, indeed as to every farm on which it existed, and as to whether that man or his neighbour was or was not about to send sheep into the fair. By knowing these things and knowing also by what roads the animals would come, I had an opportunity the day before to go and intercept them on the way, and to see whether they had come with a clean bill of health or not; for we had a system of certificates in operation. If that machinery had not been in operation, and if I had not known the facts which I did with regard to the existence of the disease, my inspection would have been of little or no good at all. The difficulties arise from the way in which sheep are penned together, and the large numbers of them. You have to deal with thousands of sheep which are arriving at one and the same time in these large fairs, and it is next to an impossibility for any proper inspection to be carried out.

1775. Therefore, you would rely on the knowledge which an inspector had in the market, as to from what quarters diseased animals were likely to come, and practically, on the fear which a man would have of having his animals detected, and being liable to penalties?—Just so.

1776. So that although it would be impossible to examine every animal, yet the provisions with respect to inspection, would deter the sale of diseased animals?—There is no question but it would.

1777. I have been through the different diseases which are mentioned in this Bill, and as I understand from your evidence, you would omit altogether from the Bill the foot and mouth disease; is that so?—I would certainly omit the foot and mouth disease from the Bill.

1778. From both Bills?—From both Bills.

1779. And you would omit measles?—Most certainly, I would omit measles from the Bill.

1780. Would you consider, speaking generally, and without pledging yourself to the wording of the clauses, that the clauses in the Bill are right as regards glanders, sheep-pox, pleuro-pneumonia and steppe murrain?—I think the clauses are right with regard to glanders, sheep-pox, and steppe murrain, if it should unfortunately show itself in this

this country, but I do not think they are right with regard to pleuro-pneumonia.

1781. Will you explain to the Committee precisely, the points on which you think they are not applicable to pleuro-pneumonia?—I have already drawn attention to one point, viz., the Orders in Council. The destruction and burial of animals affected with such a disease as pleuro-pneumonia I consider would be exceedingly prejudicial to the general interests of the country, and of the people as a whole, if such a law as that were carried out.

1782. You are aware that that part of the Bill is with respect to the power of the Privy Council?—Yes.

1783. With respect to an epidemic existing in a particular place, it is not in the ordinary clauses of the Bill, without an Order in Council of that sort?—I am aware of that, but I have a right to deal with the Bill, as it stands, I presume. The Bill gives power to the Queen in Council to order the destruction of animals affected with a contagious disease, and therefore I have a right to presume that if pleuro-pneumonia existed in a parish to an unusual extent, the Queen could order all those animals to be killed and buried.

1784. Is that the only point in which you think the Bill is inapplicable to pleuro-pneumonia?—It is the chief point in which the Bill is inapplicable to pleuro-pneumonia.

1785. Is there any other point?—There is no other point that I can immediately charge my memory with.

1786. Then you would also, as I understand you, include scab in the Bill?—I think scab ought to be included in the schedule of diseases.

1787. Mr. *Hunt.*] With regard to pleuro-pneumonia, how long may the disease be in a state of incubation before it arrives at that stage when it would be contagious?—It will vary in different instances; it is rarely incubated less than a month. It may be incubated as long as two months, and occasionally, but in exceedingly rare instances, probably a little longer than two months; I state this, because I know of one instance where the disease was incubated 10 weeks.

1788. What do you conceive would be the ordinary period of incubation?—The ordinary period of incubation is certainly about a month.

1789. During that stage of the disease, would an unscientific person be able to detect it?—No; nor a scientific person either.

1790. What is the scientific means of detecting it at the early stage, when it can be detected?—The application of percussion to the side, so as to ascertain whether a normal sound is emitted; the lungs being charged with air when in a healthy condition, in percussing the chest, we get a hollow or drum-like sound; on the contrary, when the lungs become congested, heaped up with blood as in disease, we find them pressing firmly against the sides of the chest, and over that part there would be a solid sound. Again, if we apply the ear to the chest, and listen to the respiration of the animal, on the affected side, in consequence of the air not permeating the lungs to the extent it would do presuming the lung to be healthy, there will be found increased respiratory sound in the bronchial tubes. It becomes what is commonly designated a bellows-sound, in the large bronchial tubes, or the branches of the windpipe, while directly over the place where the consolidation has taken place, there is no so-called respiratory murmur to be detected at all.

1791. Would an ordinary person be able to apply those tests?—Not accurately; certainly not.

1792. Do I understand with regard to pleuro-pneumonia (I am speaking of the Cattle Diseases Prevention Bill), you would apply none of the provisions of the Bill to that disease?—I would apply the provisions of the Bill against sending such animals into fairs or markets. I do not think it is prudent to allow animals affected with pleuro-pneumonia to go into fairs or markets, for the simple reason that, although it is a disease which spreads from the influence of the atmosphere, that is, it belongs to the zymotic class, it is also a disease which is contagious; therefore, there can be no question that every animal which is itself the subject of the disease will be likely to extend the affection to other animals brought into contact with it.

1793. With regard to empowering Her Majesty by Order in Council to make regulations with respect to the matters which are treated of in Part II., would you limit the number of diseases to which such regulations should apply?—I should limit them.

1794. What diseases would you allow them to apply to?—To glanders, sheep-pox, and steppe murrain.

1795. You would not apply the Orders in Council to scab?—No, certainly not.

1796. You would apply it only to sheep-pox, steppe murrain, and glanders?—Yes.

1797. You say there would be very great practical difficulty in inspecting the large fairs, and you think it could not be done without seven or eight inspectors at Barnet, Weyhill, or some of the other large fairs. It is the case, is it not, that none of these large fairs are held on the same day? a large fair at one place is not held on the same day as a large fair at another?—I believe that is so.

1798. Do you think there would be any difficulty in having a body of inspectors who should go down to particular places where a large fair was expected, and assist in the inspection?—There would be but little difficulty, if the Government thought fit to appoint a sufficient number of inspectors for such a purpose.

1799. That would be merely a matter of expense?—It would be a matter of expense on the part of the Government.

1800. By a division of labour, a large fair could be inspected as well as a small one, if you employed a sufficient staff?—Possibly so; but I would observe, with regard to inspection at large fairs, that the cattle often come in very early in the morning, before it is barely light, and that a great number of the sales are sometimes effected, and the animals sent out of the market again almost before daylight. Therefore, under circumstances of that kind, you can easily imagine that diseased animals might come in, be sold, and go out again, and not be seen by an inspector.

1801. In that case the animals come in or come within a certain distance of the head-quarters far in the night?—Yes; but animals which go in very early not unfrequently also come from farms that are adjacent.

1802. I mean it may be possible, by appointing the inspectors on the road a certain distance outside the fair, to prevent diseased animals coming

Professor J. B. Simonds.

3 June 1864.

coming in?—It is just possible; but I do not think it very probable.

1803. Supposing you appointed inspectors at one fair and not at another, do you think more diseased animals would come into a fair that was uninspected than into the other one?—Not unless it were generally known by a class of men who would not scruple to do anything, that there would be no inspection at that particular fair.

1804. Do you think that inspection would have no effect in keeping diseased animals out of the fair?—I believe this, that if it were known that an inspector was appointed for a fair, it would have a beneficial effect to some extent; and I can understand, therefore, that if some fairs are inspected by a Government staff, and others are not inspected by that staff, that a certain class of persons would not hesitate to send animals affected with particular diseases into that fair; but these diseases, if we reduce the schedule, amount practically to just nothing at all. They come down to lung disease, sheep-pox, and glanders. Glanders exists but to a very slight extent indeed; sheep-pox has only existed twice in this country since the removal of the restrictions with regard to the importation of cattle. On one occasion, that was when it came in 1847, it certainly continued for about three years, but on the last occasion it only existed for about three months. It is a great question, therefore, in my mind as to whether there should be any system of inspection at all to guard against a few animals affected with lung disease, coming into a fair or market. Practically, the whole thing comes down to this.

1805. With regard to glanders, you would have no objection to a provision which would make it an offence to sell a glandered animal at all?—Certainly not; I think there is a necessity still to guard against horses that are affected with glanders being sold in fairs and markets, and not only because the disease can be communicated to other horses, but because it is a disease which is also communicated now and then from the horse to the human subject.

1806. Do you know what the law at present is with regard to glanders?—The Sheep-pox Act entirely applies to it. Allow me to explain that when that Act was passed for the purpose of arresting the progress of sheep-pox, it was to continue in operation for three years. Afterwards it was renewed from time to time by short Acts of Parliament, sometimes extending over two sessions, but generally speaking extending over only one. After the Act had been in operation for some five or six years (I cannot now say the precise date) glanders was added to the affection, sheep-pox, by a special clause.

1807. With regard to glanders, the law at present, according to a decided case, I see, is, that selling a glandered horse is an indictable nuisance if sold at a public place, but not if sold anywhere else; were you aware that was the law?—I think that is not the law.

1808. You would see no objection to extending the offence to selling a glandered horse knowingly anywhere?—Certainly not.

1809. It has been suggested by a previous witness that an enactment should be made that the purchaser should be protected for a number of days against the seller, with regard to certain diseases in cattle, that there should be a warranty for a certain number of days in certain cases of disease; have you considered the desirability of such legislation?—I have not considered the desirability of such legislation; I think it would not be found to work well, because there are diseases in which it is impossible to say how long they may be incubated; for example, the disease we have spoken of, pleuro-pneunomia. It surely would hardly be right, knowing that, as a general rule, it is incubated only a month, to allow the warranty to extend for ten weeks, a period it is just possible it might be incubated, when, as you will see, an animal might be exposed a second time to the infection between the time of the sale and the expiration of the warranty. I am only explaining the ordinary period of incubation of one disease to show the difficulty of thus legislating.

1810. Are you aware of what the French law is as to that?—I am not.

1811. If I remember rightly, it was stated that there was a warranty for nine days, according to the Code Napoleon, in the case of all animals that were purchased without any special warranty; would you see any objection to adopting that from the French law?—I think that it would give no protection, or, at any rate, but very little protection. Take glanders, for example. Within the last month I have been consulted in a case of glanders where an animal received the disease fully eight months ago, and is only now giving evidence of it, to a sufficient extent to be detected by an ordinary observer. There was some evidence of the disease during a part of this time, but so little, that it was overlooked entirely.

1812. There are a certain low class of butchers, are there not, who buy animals at a low price, knowing them to be diseased, and convey them to some other part of the country and sell them, concealing the disease, or concealing the knowledge of it?—There are; but if we speak with regard to a warranty of those diseases which are enumerated in this Bill, I think that a warranty of nine days would be no provision whatever against the spread, say, of glanders, nor against the spread of pleuro-pneumonia. It is possible that it might be against small-pox, because that is a disease which is only inoculated about this period of time.

1813. You would see no objection to having such a law with regard to small-pox?—Having it as a law with regard to sheep-pox might be an advantage; and also if that were the law, it might be as well to prevent any sheep which had been affected by it naturally, or in whom the disease had been produced by inoculation in order to lessen its fatality, being sold until the expiration of six weeks, dating from the period of the disease making itself manifest by an eruption on the skin.

1814. This is the statement made to us with regard to the French law: "The butcher, for example, is protected for nine days after he buys stock. If it is found to be diseased within nine days, the seller of that stock loses the animal, or at all events it is sold, and the seller gets whatever reduction it has suffered. In fact the salvage comes to the owner, but he is responsible to the butcher." With regard to that law, as I understand, you think that it might be applied to a case of small-pox, but not to any others?—I think so.

1815. You have had some experience with regard to the effects of inoculation in sheep-pox, have you not?—I have had considerable experience with regard to the inoculation of sheep.

1816. Can

1816. Can you tell the Committee what the sult of your experience is with regard to that?—nder many circumstances it is very greatly to e advocated, and, in fact, it is nearly the only ieans which we can practically apply to arrest ie progress of small-pox in sheep, and to lessen s fatality. I myself inoculated upwards of 2,000 ieep in Wiltshire, and I saw many thousands hich had been inoculated in Norfolk in 1848. ly experience, therefore, enables me to say that it duces the mortality frequently from 40 or 50 per ent. (occasionally, the natural loss will carry off much as 75 per cent. or more), to four per cent. nd sometimes to even much less than that, down two per cent.; while in cases where the animals o not do well, as it is said, after inoculation, the iortality rarely rises to more than five or six per ent.

1817. There is a difference of opinion amongst rofessional persons with regard to the benefits inoculation for sheep-pox, is there not?—here is a difference of opinion, certainly.

1818. Have you seen the Fifth Report of the ledical Officer of the Privy Council?—I have ot.

1819. Perhaps you will be kind enough to look t that (*handing the same to Professor Simmonds*). should like to hear what you have to say on that ubject; that appendix gives statistics with regard o losses by sheep-pox in Wiltshire, where the ieep-pox broke out about a year and a-half ago n 1862. The figures given there are rather in pposition to the view which you have stated, are iey not?—These figures are not correctly given.

1820. Are you acquainted with the farms which re mentioned in that tabular statement?—Every ne of them.

1821. Is the statement a correct one as regards ie numbers, or as regards the dates?—I have ill notes of the precise number of animals, but have not got them here. Perhaps you will allow ie to say, with regard to one case here mentioned Mr. Harding's), where the original number is iven at 400, that that is correct. It is said, how-ver, that the loss before inoculation was 18, and hat the number of sheep inoculated were 380, nd that the total loss amounted to 19, which is ot correct. It is very true that only one animal eally died from the inoculation, but the losses rom the natural disease were very far above 18. t is to be borne in mind that there is no account ere given of the natural cases of the disease occur-ing between the time of inoculation and the date f these animals taking the inoculated disease, hich is a most important element in the question.

1822. The animals lost before or after the flock as inoculated, are lumped together; and the tatement does not distinguish those which died rom the sheep-pox taken naturally, and those hich died from the sheep-pox communicated arti-cially?—Just so; nor does it separate those nimals in whose system the disease existed at the ime they were inoculated, and in which the disease eclares itself before the inoculated disease has ufficiently advanced to give security to the nimal.

1823. Can you give us a statement showing hese particulars?—Yes; I can do it, but not o-day, as I have not the memoranda with me.

1824. You think that if the real facts were tated in the way which you have suggested, that would give a very different complexion to the ffair to that which is given here?—Certainly.

1825. One question with regard to the inspec-tion of sheep. It would be very easy, I presume, for a professional person who understood the disease of sheep-pox, to ascertain what sheep had the disease in such a state as should allow it to be contagious?—Do I understand the question to apply to the inspection of sheep in a fair or market?

1826. Yes?—Many sheep might have the dis-ease in so mild a form that it would not be re-cognised unless the sheep is caught and turned up, and the inner sides of its thighs and arms exa-mined. As a general rule, we find that when the irritation on the skin appears, the sheep sickens, holds its head down, its ears lop, and so on; but there are many cases where indications of that kind do not exist, the disease being in an exceedingly mild form.

1827. But still, being in that mild form, it might affect other sheep coming in contact with it?—It would affect other sheep coming in contact with it; and although sheep took the disease from an ani-mal such as I have described, it would be no security against the disease assuming a very serious form in them.

1828. The practical difficulties that you see in the way of inspecting stock coming into large fairs, would apply to the case of flocks affected with sheep-pox?—Yes.

1829. Mr. *Thompson.*] With reference to pleuro-pneumonia, I understood you to state your opinion that pleuro-pneumonia was infectious, but that it also arose from atmospherical causes. In reply to a further question, you stated that it might be communicated from seeds floating in the atmosphere derived from animals who already had the disease. If so, that would be another mode of communicating the infection between one ani-mal and another. I wish, therefore, to ask you whether you believe that pleuro-pneumonia does originate in this country, where there is no infec-tion either by the seeds in the atmosphere or any other mode of communicating infection, or whe-ther you think it is always produced in one way or another by infection from diseased animals?—I believe pleuro-pneumonia, and all other diseases of the same kind, arising in an epidemic form, do so in consequence of the morbific matter which specially gives rise to them being mingled with the at-mosphere.

1830. Arising from what?—Arising from the seeds of the disease from animals that are them-selves the subject of the disease. For instance, I can understand that in one parish there should be a number of animals affected with pleuro-pneu-monia; that the exhalations given off from those animals would contain the morbific matter; that that morbific matter would not be broken up but mingled with the atmosphere, and being so mingled with the atmosphere, other animals would take the disease through the medium of the atmos-phere, and not by coming into close contact with the animals affected with pleuro-pneumonia. It is thus we find that these diseases, small-pox, for instance, and cholera, and many others, as-sume what, in the human subject, is called an endemic form.

1831. But you still trace it back to other animals having the complaint?—In these cases I do.

1832. Do you not believe that the complaint originates without any such communication from diseased animals?—It is just possible that pleuro-

Professor *J. B. Simonds.*

3 June 1864.

pneumonia may do, and that some other diseases also may do; but as a general rule——

1833. We will not go into the general question, if you please; is it your opinion, from your experience, that pleuro-pneumonia does originate in districts without communication or infection from other diseased animals?—Certainly.

1834. With reference to steppe murrain, you say that the precautions introduced into this Bill would be useless; you have investigated the steppe murrain very carefully on the continent; do you consider that the precautions adopted there are useless or beneficial?—I gave the opinion that these precautions would be useless with regard to steppe murrain, because we have no such disease in England; I consider, however, that they would be exceedingly useful in arresting the progress of it supposing that it did exist in England. With regard to legislation for the arrestation of steppe murrain on the continent, the measures which are adopted, and which are even absolutely necessary, are far more stringent than those which we are now speaking of.

1835. Then the reason why you think that those precautions would be useless is, that other nations take the precautions, and prevent the necessity of our applying them?—Yes.

1836. You also said that in case of war they would be useful; that is, if anything occurred to prevent the regulations now in force on the continent being carried out, then our regulations might come into play and be used?—Just so.

1837. That is to say, the precautions would not be useless, but they would seldom have to be applied?—Exactly so.

1838. With reference to the foot and mouth disease, you have stated your opinion that the price of meat would be materially increased if the regulations that now stand in the Bill became law; of course you are aware that the price of meat in the market depends on the amount of supply as compared with the demand; the foot and mouth disease diminishes the condition of animals, and causes considerable loss of weight, does it not?—If an animal is kept for any length of time after the existence or appearance of the foot and mouth disease, it loses weight; but a great number of the animals sold in the metropolitan market, for example, lose no weight whatever; they are, perhaps, affected with the foot and mouth disease on first going into the market, or were so for a few hours before, or they may even be attacked in the market; they are, however, sold and killed within a few hours of showing evidence of the disease; therefore, on them there is no loss. If you have a number of animals in the country, store stock, that take the foot and mouth disease while they are labouring under the affection, it being associated with fever, there are brought into operation a number of causes which lead to a loss of weight and a loss of condition; but it is proverbial, even with regard to those cases, that when the animals have recovered, which they generally do in about four or five days, that they begin to accumulate flesh very much better, and to thrive much faster.

1839. That is not my experience; but, supposing, as you say, that in the incipient stages there is no loss, is it not the fact that if the complaint reaches any height, there is a very great loss, especially when driven?—There is a loss if fat animals are driven when labouring from the disease, and that loss will be in proportion to the time which elapses between the appearance of the disease and the slaughtering of the animal, up to about the third or fourth day.

1840. Is it not also the fact that a great number of animals are kept back from the market altogether in consequence of suffering from this disease?—I am not aware that such is the case. I know it frequently happens that a farmer who is fatting a number of cattle for the market will make a selection out of 30 or 40 animals of 10 or 15, and send them by railway, or by road if he is near to a large market, and that these animals which are made to undergo a little exertion, exposed also to privations of food, and to inclement weather, particularly to east winds, will take the disease when all the other animals at home remain perfectly healthy.

1841. I ask you whether the existence or prevalence of this disease does not prevent a great number of animals from being brought to market which would otherwise have come there?—If I understand the question rightly, it is this: supposing that a man has a large number of animals, store stock, for instance.

1842. No, fat stock: the market price of meat, you say, would be raised 25 per cent. if this Bill were passed into law?—If I now understand the question aright, it is, that a man has a number of cattle fit to go to market—fat cattle, and that the disease breaks out among those animals. Under such circumstances he would certainly not think of sending the animals to market while suffering from the disease.

1843. Therefore, it operates in keeping a number of animals out of the market now, which would otherwise be sent there?—Yes, under circumstances of that kind.

1844. It is a highly infectious disease, in your opinion, is it not?—I cannot say highly infectious; I consider it is infectious; but I do not think it is right to apply the term "highly infectious to it."

1845. Do you question the abundant evidence we have of cattle taking the complaint on being driven on a road after others that have it, or from being turned into an adjoining field?—I believe that, in the majority of such cases as that, there is no connexion whatever between driving the animals along the road, and the others following and taking the disease; but that it arises merely from the circumstance that the animals have been, as I have before explained, exposed to certain privations which act as secondary causes. The disease is more correctly called "exema," than by any other term. It is called murrain in Scotland, and foot and mouth disease in this Bill; and by some individuals "aptha;" and with reference to exema, which shows itself in the human subject—not this disease, but one allied to it—it is well known that it will arise out of such common causes as those to which I have alluded.

1846. If you were informed that cattle were driven to market from a farmer's stock-yard with others, or following others on the road suffering from this complaint, and taking the disease shortly after, and none of those at home having it, though exposed to the same atmospheric influences, would you doubt that they had taken it from the infection?—I could not doubt that they had taken it from infection, presuming that they had mingled together on the road or in the fair; but, supposing one drove of cattle, which

which was infected, had gone along the road, and another drove of cattle were to come along that road half an hour afterwards, I do not think that if the disease broke out in them that it depended on their going along that road.

1847. If you were then told by the farmer who sent his stock on the high road from one part of his farm to another, following stock having the disease, and his stock took it, they never having been away from his farm, and those only taking it which had been on the high road in question, would you still doubt it?—Yes; I should consider that it had arisen from ordinary causes which had been brought into operation, thereby rendering the animals susceptible to the epidemic form of the disease.

1848. I think I understood you to say that the inspection at such large fairs as Weyhill, Barnet, and others, would be almost impossible; that a real efficient inspection would be almost impossible. Is it not the case that those animals which are in the most advanced stage of disease are those which are most dangerous, most likely to communicate the infection?—Certainly.

1849. Are not those which are in the most advanced stage the most easily recognised; the most easily selected by an inspector?—Certainly.

1850. Even though you could not select the whole of the animals that were infected, if you could remove a large portion of those in the worst state, would not that be a great practical benefit; even if we could not produce a perfect cure?—It would be an advantage, unquestionably; but I very much doubt whether any man having an animal in an advanced stage of pleuro-pneumonia would send it into such a market.

1851. Not if there were inspectors?—Even if there was no inspector, because I hardly know who would buy an animal that was so plain and palpably affected with pleuro-pneumonia.

1852. I am not speaking only of pleuro-pneumonia; but the foot and mouth disease in the same way, if very bad, is very easy to detect?—Yes.

1853. And if they are very bad, of course they are much more likely to communicate the infection?—Quite so.

1854. And might be easily picked out by an inspector?—And might be easily picked out by an inspector.

1855. Mr. *Leslie.*] I understood you to say that pleuro-pneumonia was not contagious until the symptoms were visible?—It is certainly not contagious until the symptoms can be detected by a medical examination.

1856. I am reading Question 159, and Mr. Gamgee's answer:—"In your opinion, is the disease highly contagious in that stage"? (having reference to the period of incubation). "*A.* Decidedly; highly contagious. *Q.* At a stage when the appearance of the disease is not visible to an ordinary observer? *A.* I may mention that I believe there is as much disease propagated by apparently healthy animals, as there is by acutely diseased animals, in the period of incubation. At the earliest period, there may not be much poison thrown off, but very soon, from the expired air, there is a great deal. We constantly have stock bought that is never supposed to be diseased, and the stock all around it is destroyed." Do you agree with that?—Certainly not.

1857. Then, with reference to the inspection of stock at fairs, suppose it were possible to institute an efficient system of inspection, what would become of the diseased stock that were rejected and thrown back to the flocks coming into the market. What would you propose to be done with them. Suppose a man bringing a flock of 500 sheep to market, and suppose an efficient system of inspection was instituted, and the inspector met these sheep and examined them, and rejected 100, what would become of those 100 sheep?—They must either be returned, I presume, to the premises of the individual to whom they belong, subject to the conditions and penalties of the Act, or they must be taken possession of, and killed.

1858. If it was a contagious disease, the 100 sheep would be immediately sent back by the same road to face all the healthy cattle coming into the market that happened to be a little later; so that a person who is late in sending his stock to market would run the risk of having the whole of the infected and diseased cattle of the district sent right into the face of his healthy stock?—He would, under such circumstances.

1859. Supposing you gave the answer that a *sanatorium* would be provided in the neighbourhood of the market, which I consider to be out of the question, would it not be necessary to have separate compartments for each particular disease?—Unquestionably it would; this bears somewhat on the question of quarantine. I am opposed to a quarantine, in principle, as it has to be applied to animals. I am of opinion that if you want to propagate disease in a country and keep it alive, that a detention of animals is the very best means you can adopt for the purpose, and it is also a very excellent means of inflicting pecuniary injury on individuals. I will take as an example, although it, perhaps, does not precisely bear on the question as you have put it, the case of a number of animals being sent from abroad into this country; they are put into quarantine; and here you have to keep them, either at the expense of the importer, or of the individual to whom they belong. They must be kept a definite length of time, even for such a disease as small-pox; you keep them for what purpose; to know whether they are or are not affected with small-pox. Suppose they are affected, the consequence is, that you then are obliged to destroy the whole of the animals, or keep the then unaffected on for an indefinite length of time to know how many are diseased; and every animal which becomes the subject of the disease during this time, becomes, at the same instant, a means of spreading the infection. Then, as animals come in different ships at different times, and from different individuals, it is just possible that, even in the same cargo, there may be some animals that have been exposed to the disease, and others that have not. You put the animals which are perfectly healthy either with or by the side of others which are diseased, that is to say, in whose systems the disease is incubated; therefore, you inflict an injury on individuals, not only by keeping their sheep from going into the market, but by exposing them to the disease when it breaks out. For these reasons a quarantine is perfectly impracticable. The same objections would apply in part to a *sanatorium* being close to a fair or market. Although you might have diseased animals put in there, still it would certainly not be right to put with them animals belonging to the same individuals, which might simply have been exposed to the disease, and do not give any evidence

Professor *J. B. Simonds.*

3 June 1864.

of the affection at that time, and to mingle them up with other animals that were diseased. You would be obliged to have a place where you could put not only every lot by itself, but to classify diseases; the foot and mouth disease together, the lung disease together, and so on.

1860. Then you consider a system of efficient inspection and separation to be perfectly impracticable?—I do.

1861. Sir *William Miles.*] Besides being Veterinary Professor of the College, you have been for a long time Veterinary Professor of the Royal Agricultural Society, have you not?—I have been connected in that capacity with the Royal Agricultural Society for very nearly, I think, 18 years.

1862. During that time, has it not been the wish of the Royal Agricultural Society as much as possible to investigate all these diseases that have broken out from time to time?—Certainly so; the society has always shown the greatest possible solicitude for the health of the animals of the farmers in this country, particularly cattle, sheep, and pigs.

1863. Not only have you been sent down by the society on certain outbreaks, but the different members of the society have the power, if anything occurs in their particular flocks or herds, to send for you?—They have.

1864. So that, besides the animals which you have inspected at the Veterinary College, of which a good number have been sent up, you have likewise had the general survey for the Royal Agricultural Society, and at the same time the individual survey of different herds and flocks for the individual members of that society?—Certainly so.

1865. That has given you a very extensive insight into all the diseases pertaining to cattle and sheep, has it not?—It has; and, in addition, as an officer of the college, I also have the opportunity of going to see cattle that do not belong to members of the Agricultural Society; that is another source by which I have obtained information.

1866. Can you at all tell us the number of animals that you have inspected in this way per annum?—It would be a very considerable number; I must deal with thousands, I can scarcely say how many.

1867. I will ask you first of all some questions relative to pleuro-pneumonia. Do you conceive that inoculation would in any way prevent the spread of pleuro-pneumonia?—I may, perhaps, be permitted to answer the question by saying that I do not know what is meant by inoculation for the prevention of pleuro-pneumonia. I know what is called the inoculation of cattle, for the prevention of pleuro-pneumonia, which essentially consists of making an incised wound in the tail of the animal, and putting into it a small portion of the serum which exudes from the diseased lung, but I contend that this is not inoculation. Inoculation means the conveyance of a disease of the same character, or artificially propogating the disease; and thus, by giving the disease to an animal artificially, you give security against the natural disease. In making such an incision as I have described in the tail of the cow, you never induce any disease of the lung of that animal, nor do you induce any disease whatever of a character which will protect the animal against infection. All the benefit, therefore, which arises from inoculation, would attend upon the introduction of an ordinary irritant; it is nothing more nor less than an issue, and it is well known that some years ago it was the custom with the human subject to have issues in the leg to go on for a considerable time, for the purpose of protecting the system against certain diseases. It is on that principle alone that inoculation can do good, but standing upon such a ground, we find it is so insecure that it very frequently slips from beneath the feet, and the consequence is, that the inoculated animals are then found to take the disease as readily as those which have not been inoculated.

1868. Can you tell me about the average per centage of the loss of cattle by pleuro-pneumonia?—Of positive cases of pleuro-pneumonia?

1869. Yes?—The per centage will vary considerably; sometimes the disease assumes a very severe form in a herd, and you will have perhaps not less than 75 per cent. of the infected animals which will have to be killed, or would die presuming that they were kept; but if the question has reference to the mortality generally, in this country, from pleuro-pneumonia, compared with the total number of animals, I do not think that it is more than about one in 200; that would be a half per cent.

1870. Have you looked at the calculation which has been made by Mr. Gamgee, in which he estimates that above five per cent. of the cattle existing in England die of disease, and of these particular diseases specified in the schedule; five in Scotland; six in England, and seven in Ireland?—Practically, the statement must apply to two diseases in particular; namely, sheep-pox and pleuro-pneumonia; the foot and mouth disease is not a fatal disease; occasionally, when it assumes a very severe form, an animal dies rather from the consequences of the affection than from the affection itself; but speaking in general terms it is certainly not a disease which produces any loss by deaths; therefore, it comes back to the question principally of pleuro-pneumonia. From the information which we have, I am inclined to believe, as I have said before, that we do not lose more than a half per cent. from pleuro-pneumonia, and taking all other diseases affecting cattle in this country together, I do not think that the loss is more than five per cent.. We lose from all diseases about the per centage which Mr. Gamgee has stated is produced alone from pleuro-pneumonia.

1871. The foot and mouth disease is very seldom fatal, I think?—Very rarely indeed.

1872. Have you been in the metropolitan markets often?—Not very often.

1873. Have you ever observed the Irish cattle that have come over there to be killed as meat?—I have occasionally observed them, but very rarely.

1874. Do they often appear affected with foot and mouth disease?—Like cattle coming from abroad, they frequently arrive in a perfect state of health; but occasionally they arrive affected with foot and mouth disease.

1875. And are killed without any apprehension by the Liverpool butchers for consumption when affected with that disease?—Decidedly so; there can be no question or doubt that the flesh of animals affected with the foot and mouth disease can be consumed with perfect safety by the public; it has been rightly stated by a previous witness, that it is daily so consumed, and has been for 25 years.

1876. There have been two outbreaks of small-pox

pox, one, I think, in 1852, and the other two years ago; is that so?—One in 1847.

1877. One in 1847, and another two years ago; those have been the only outbreaks in this country?—Those are the only outbreaks of the disease in this country during the memory of the present generation. At the time I wrote the treatise, which is before the Chairman, on that disease, I believed that sheep-pox had never been in England before; but upon a search some time since I found the following passage, in an old work written by a Dr. Fuller, bearing date 1730, a work which treats exclusively of measles and small-pox of the human subject. In commenting on some observations of an American writer, Dr. Fuller says: "The small-pox and its spurious sorts are peculiar to man, exclusive of all other animals. Mr. Mathan, indeed, in his letter from Boston, in New England, saith that Dr. Leigh, in his natural history of Lancashire, reporteth that there were some cats known to catch the small-pox, and pass regularly through the state of it; and at last he telleth us we have had amongst us the very same occurrence; but if we had seen and experienced the matter, perhaps it would have been found a very different thing from our own small-pox; for in the like manner there was, about the year 1710 or 1711, upon the South Downs of Sussex, a certain fever raging epidemically among the sheep, which the shepherds called the small-pox, and truly in most things it nearly resembled it; it began with a burning heat and unquenchable thirst; it broke out in fiery pustules all over the body. These pustules maturated, and if death happened not first, dried up into scabs about the 12th day. It could not be cured, no, nor in the least mitigated by phlebotomy, drink, or any medicines or methods they could invent or hear of. It was exceedingly contagious and mortal, for where it came it swept away almost whole flocks; but yet it could in no wise be accounted the same with our human small-pox, because it never infected mankind." There can be no doubt whatever, to a medical man, that Dr. Fuller here describes small-pox among sheep as existing in Sussex in the year 1710–11. With regard to his argument, that it could not be the same as the human small-pox, because it never infected mankind, I may say that the small-pox of sheep cannot, I believe, be communicated to man in any way, neither by men inhabiting places where small-pox sheep are confined, living, if I may so express it, among small-pox sheep, or even by being inoculated with the virus of sheep-pox. In the numerous inoculations which I have had recourse to, I have inoculated myself frequently, by accident, to the extent, perhaps, of 20 or 30 times, or even more. Not unfrequently, also, when men have been holding sheep, in consequence of the sheep kicking, the needle charged with the virus has entered their hands or arms, and in no one instance has any ill effect arisen from it. I also believe, from experiments that I have instituted with regard to small-pox in sheep, that it is a disease which cannot be communicated; or, at any rate, if communicated, it must be in exceedingly rare instances to other animals. You would have to deal with thousands, and perhaps tens of thousands, before you got a case. It is a disease belonging to the sheep, and one which cannot be propagated to the human subject in any way, nor to cattle of any kind or description in any way. An animal such as the goat, which is so nearly allied, as we know, to the sheep, is one which may be made to live for weeks among hundreds of natural cases of small-pox sheep, and be inoculated again and again under those same circumstances, without taking the disease. This I have tried again and again.

1878. In the year 1847, in the investigations which you made, did you endeavour at all to get at the source from which the disease originally emanated?—That has been most satisfactorily ascertained.

1879. I am now speaking of 1847?—In 1847 the disease was brought in here by some sheep, some of which were shipped at Hamburgh, and others at Tonning. In the work which I wrote at the time I traced out the whole of these sheep. I gave the name of the vessel which brought them in, and the number of sheep which were on board. Its introduction into the country on that occasion was traced most satisfactorily.

1880. Did you, in 1847, yourself introduce inoculation?—I became an advocate for inoculation in the year 1848, from what I saw of the ravages of the disease in many parts of the country; and by putting it myself into operation, I did not lose more than from four to five per cent. even in my worst cases. It is right, however, that I should say, with regard to inoculation, as then practised, that it was as badly done as could by possibility be; that it was not unfrequently practised by men who had no medical knowledge whatever. Even when some veterinary surgeons, or, rather, I would say, farriers, as they are more correctly called, and cow-leeches, did it, it was done without the application of any science; so that the results of inoculation, in 1848–9, cannot in any way be depended upon as showing what benefits would have arisen from the operation properly performed. For example, instead of taking a needle, and merely soiling the point of it with the virus, and introducing it into the skin by a wound so small that not a drop of blood would be seen to come from it, these men made a large incision, not less, frequently, than an inch long, took a piece of tow very frequently, and sopped it in pus and virus, and introduced it into the wound, and thus they absolutely killed hundreds of animals without the small-pox declaring itself; that is, they poisoned the entire system to such an extent, that the animal died in the course of a few days. The inoculations, therefore, as they were carried on in 1848, in particular, are of no value, as I have just stated, to show what benefits would have resulted from inoculation properly done.

1881. We will now go on to the small-pox which broke out two years since; that broke out originally in Wiltshire, I think?—It did.

1882. Were you sent for very shortly after it did break out?—I was sent for a few weeks after it broke out to see the flock in which the disease originally appeared. I was consulted by the gentleman himself, unconnected with the Royal Agricultural Society, to give an opinion upon this affection. Immediately upon my arrival I examined some lambs which were the subjects of disease, and recognised the disease as being small-pox in an incipient stage. Up to that time various rumours had gone forth that this flock was affected with some contagious disease that was not known, and hardly anybody had an idea that the animals were affected by small-pox. In looking back at the number of cases which had occurred,

Professor *J. B. Simonds.*

3 June 1864.

occurred, and of animals which had died, I came to the conclusion that the affection had originated in the flock about the beginning of the month of May, probably the very first week in the month of May. I saw the animals for the first time on the 16th of July, therefore the disease had been going on from about the 1st of May to the 16th of July, but not in a very severe form, until within the last week or two before I was consulted. It has always been a great doubt as to how the disease possibly could show itself in Wiltshire; there were only two causes which could be assigned; one was, that it had had a spontaneous origin; the other, that by some means diseased sheep, or skins of sheep, or the morbific matter of sheep-pox, had found its way down there. There is no doubt whatever that the disease had not a spontaneous origin; it never has a spontaneous origin either in this country or on the Continent; it is not an affection which arises in that manner. Although we could not trace the disease with certainty, I nevertheless am inclined to believe, looking at the practice which obtains with regard to the trade in foreign sheep coming into this country, that it was introduced into Wiltshire in some such manner as this: that a number of sheep were brought into the Port of London in whose system the disease was incubated; consequently, no detection of the disease could possibly be made by the inspectors at our ports. The disease did not break out so as to be recognised while those sheep were in the metropolitan market; they were sold in the metropolitan market, and went into the country. It is well known that butchers, even from Birmingham and Manchester, and other large towns, come up to the Metropolitan Market and purchase a good deal of their beef and mutton. I believe that in some such way as this, perhaps, not more than one or two animals found their way into the western parts of England, and that before they were killed by the butcher who bought them, the disease declared itself; that he, seeing the animals were the subjects of this infection, killed them, and disposed of the carcasses as best he could, and that they really were disposed of to go to a manure manufactory which is situated on the Kennett and Avon Canal, within a mile of Mr. Parry's farm, where the disease originally appeared. It is a fact worthy of note that, tracing the commencement of the disease back to the 1st May, Mr. Parry's sheep were feeding on the banks of that canal in a field at that time, and had been for several days before, and were for a week or two afterwards. On the 29th of April, a boat load of refuse animal matter was sent along that canal, and I have very little doubt that that was the means by which these sheep contracted the disease. I went myself to the manure manufactory and saw the refuse matter there; I saw the heads of sheep, the legs of sheep, and the bodies of sheep, still covered with the skin, lying about to be made into manure, giving good evidence that sheep had been cut up and sent there for the purpose of being used for making manure. I therefore trace the origin of the disease probably to a source of that kind.

Martis, 7° die Junii, 1864.

MEMBERS PRESENT:

Colonel Barttelot.
Mr. Baring.
Mr. Beecroft.
Sir Thomas Burke.
Mr. Caird.
Mr. Cox.
Lord Naas.
Mr. Hodgkinson.
Mr. Holland.
Mr. Leader.
Mr. Leslie.
Sir William Miles.
Mr. Alderman Salomons.
Mr. Thompson.

T. G. BARING, Esq., IN THE CHAIR.

Professor JAMES BEART SIMONDS, called in; and further Examined.

Professor *J. B. Simonds.*
7 June 1864.

1883. Sir *William Miles.*] WHEN you were last here, you were just in the middle of an account of the outbreak of sheep-pox in Wiltshire, two years since; will you be kind enough to continue that, and to tell us in how many flocks the disease broke out, and how many of these flocks in which the disease broke out, you actually saw?—The disease first appeared in a flock belonging to Mr. Joseph Parry, whose farm is situated in the parish of Allington, near Devizes. From Mr. Parry's flock it spread to flocks belonging respectively to Mr. Harding, Mr. Neate, Mr. Hitchcock, and Mr. Simpkin, all in the immediate neighbourhood. It likewise spread to a flock of a Mr. Giddons. There was a space of some three or four miles between these flocks and others that were subsequently found to be affected. The disease also appeared about 20 miles from Allington, on the farm of a Mr. Church, at Aldbourne, and there is considerable mystery as to the manner in which it was conveyed there, and the precise cause of its appearance in Mr. Church's flock. It is supposed that the disease broke out in consequence of some lambs that were sent to Marlborough Fair by Mr. Neate, who did not know at that time they were the subjects of the affection, but who found it out immediately on his return home from the fair. Directly he ascertained that the lambs had been exposed to the disease, he went off to the person to whom he had sold them, and had them fetched back; but a certain amount of mischief had been done—in what manner has not been ascertained—and the consequence was that the malady appeared first at the farm of Mr. Church, and subsequently, by the sale of some of Mr. Church's lambs, at the farm of Mr. Hulbert, of Langley, in Berkshire. It is, however, right, I think, that the Committee should know that no pains were spared on the part of Mr. Neate to get his lambs back as quickly as he possibly could do. I had the opportunity of seeing diseased sheep in every individual instance, and in several of them, viz., in the case of Mr. Parry, in the case of Mr. Hitchcock, in the case of Mr. Harding, and also in the case of Mr. Neate, I was especially consulted as to the best means of arresting the progress of the affection, and, seeing that the natural disease was making rather great havoc among the animals in each of these instances, I had recourse to inoculation, the result of which was exceedingly satisfactory. I may state, with regard to the cases of natural disease occurring in those farms in particular.

1884. You are now keeping to Wiltshire?—Yes, I am keeping it entirely to Wiltshire. I have not by me the return of the number of natural cases and deaths clearly made out in Mr. Parry's case, because that was the first which happened, and the disease had been going on for some two months before its true nature was detected. In Mr. Neate's case there were 983 animals, 133 of these were natural cases, and there were 50 deaths occurring in the 133 natural cases. Eight hundred and fifty were inoculated cases, and the deaths resulting from the inoculation were 27. In Mr. Hitchcock's case, 291 was the entire number of affected animals, 48 were cases of the natural disease, and 12 deaths resulted; 243 animals were inoculated, with 7 deaths. In Mr. Harding's case there were 400 animals—fat sheep—82 natural cases, and 33 deaths occurring from the natural disease; 318 were inoculated, and one death was the result. Similar facts relative to the value of inoculation, when properly done, were established in the county of Norfolk, in 1848, and which were referred to at the last meeting of the Committee. A great number of them having been very improperly done had a different result; but when properly done, these same facts are borne out by the result of experience there. I have received a letter this morning from a gentleman who, in 1848, had 50 score ewes. The small-pox broke out in his flock, and from the natural disease he lost 400. They were then presumed to be vaccinated, for the purpose of preventing the extension of the disease. I say "presumed," because the sheep were not vaccinated, as I may, perhaps, be able presently to show; inoculation was had recourse to, and it had the effect of immediately staying the disease amongst the ewes. He had also 40 score of lambs, which were inoculated, and out of the 40 score lambs he only lost one; and, as he adds, he considers that even this loss was by negligence. These facts altogether show that inoculation, when properly carried out according to rules and regulations which should be observed with reference to the performance of the operation, can be relied upon to save the lives of a great number of sheep.

Professor J. B. Simonds.

7 June 1864.

1885. During the prevalence of the disease in Wiltshire, cattle insurance clubs were formed amongst the farmers, were there not?—Yes.

1886. Did they not look a great deal to separation, and at the same time to vaccination, to prevent the disease?—They did; separation was advocated before all other means of preventing the disease; separation and keeping the animals apart for a certain length of time, and in those cases in which it was had recourse to, it had fortunately a beneficial effect; but I do not think that, for practical purposes, separation of the animals can alone be relied upon, for this reason; supposing you have a thousand sheep among which the disease exists, as very frequently is the case, and as was the case with Mr. Parry, Mr. Neate, and others; if the disease shows itself, the animals must be examined every day. They must be caught and turned up, and absolutely, to make the thing positively sure, they ought to be examined at least twice in the day. It is impracticable for a man to catch a thousand sheep every morning or night, and turn them up to see whether they are or are not subjects of the disease, and the system must be adopted at any rate for a fortnight after the occurrence of the last case, for the affection is sometimes incubated in the system of the animal for nearly that time, and consequently the flock is not safe until it has gone fully a fortnight after the occurrence of the last case. I think, therefore, that separation cannot, for practical purposes, be relied on; besides, it necessarily protracts the disease in cases where the disease continues to go on. You never can tell how long a time may be occupied in ridding the flock of the affection; whereas, if the animals are inoculated, you cut short the period of time and bring all within a compass of three weeks or a month, when the thing is all over and your animals perfectly secured against any second attack of the disease, supposing it still to be raging on all sides. With reference to vaccination, which was also had recourse to by the Wiltshire Society, six sheep were selected by Mr. Brown, the chairman of the association, and these six sheep were subjected to vaccination by Mr. Parker, a surgeon, at Shrivenham. The whole of the six sheep took the vaccine disease satisfactorily, according to the account of Mr. Parker. Two of the sheep first vaccinated were exposed to the natural disease for a short space of time; but during that time they did not contract it; which insusceptibility I believe in no way depended on the vaccination, because we find the same thing continually occurring among animals that have not been vaccinated. The four other animals were vaccinated a day or two after these two; and subsequently the whole six were sent to the farm of Mr. Hulbert, of Langley. While there, they were inoculated by Mr. Parker also, and every one of the sheep took the disease; two of these sheep died, and four recovered the disease, being in no way mitigated by the previous vaccination. I saw these sheep at Mr. Hulbert's: I examined them myself. On the day of my arrival I found one sheep had died the day before, I had, therefore, only five to inspect; I found one of the animals sinking from the inoculated disease, and all the others to be severely affected. So far as the experiment of vaccination went, in Wiltshire, it proved of no avail whatever in arresting the fatality, nor in mitigating the severity of small-pox.

1887. Had it been ever tried at the first breaking out of the disease, in 1847, in Norfolk?—Vaccination was had recourse to in Norfolk on the breaking out of the disease in 1848; the disease continued in Norfolk from the middle of 1848 to 1850. The chief advocate for the vaccination of sheep at that time was the late Mr. Henry Overman, of Weasenham, a very large proprietor of sheep, and also a letter of rams. Mr. Overman had, as he stated at a public meeting of the Launditch Agricultural Society, 1,260 sheep vaccinated, consisting for the major part of ewes, with some rams, making together, I believe, 860; the remainder were lambs; he considered that all these sheep were effectually protected from the small-pox; he had certain rams which went to different individuals and were mingled with their flocks; in all the cases where the animals were exposed to the infection of sheep-pox, after leaving Mr. Overman's premises, they took the disease; some animals were made the subject of experiment by inoculation, and they also took the disease. I arranged that Mr. Overman should send me five of his sheep to London to test them by the counter proof of inoculation; Mr. Overman subsequently refused to carry out that agreement; he also refused to carry out a similar agreement to have his vaccinated sheep tested by sending five of them into a flock then suffering from the malady. With regard to Mr. Overman's vaccination of this large number of 1,260 sheep, I may remark there were certainly not more than 12 of the number that were vaccinated at all. The same individual who professed to vaccinate these sheep, vaccinated, as it was called, a large number of sheep belonging to Mr. Musket, whose letter I have read; and he also operated in a similar manner upon very many for Mr. Hudson, of Castle Acre, and several other large flock-masters in the immediate neighbourhood. The Committee will understand it full well when I tell them that this person, who was a surgeon residing at Swaffham, in the county of Norfolk, carried his so-called vaccine lymph about in ounce bottles, which were nearly filled with fluid; he made a slight puncture on the inner side of the thighs of these sheep and inserted a little of this irritating fluid; it was presumed to be gum water, mixed with some irritating agent, such as croton oil, so that, in truth, these animals were not vaccinated, with the exception of about 12 of Mr. Overman's, which were done from points, that is, from the vaccine lymph being taken in the ordinary manner upon points, and used on the sheep; The West Norfolk vaccinations, as they have been called, are of no value whatever in determining the question as to the protective influence of the vaccination. There were a few sheep in Norfolk, probably not more than 30, that were properly vaccinated by different surgeons, in small lots of three, four, and five, and one lot, I think, of seven. There is often great difficulty in obtaining lymph fitted for vaccination of the human subject, and that difficulty becomes greater when we have to call upon the small supply we possess in order to vaccinate sheep on a large scale. Therefore the Committee will understand why these surgeons were only enabled with the material at their command to vaccinate so small a number. In every instance where the sheep were properly vaccinated in 1848 it failed to protect them either against the natural or the inoculated disease, and it also failed to mitigate the severity of it in the least degree. In consequence of a great deal of public interest being excited on the question

question of the vaccination of sheep, by the publication of some letters in 1862 by the son of the late Mr. Overman, Mr. Samuel Jonas, and other well-known agriculturists, but particularly by Mr. Ramsay, a surgeon, at Shelford, in Cambridgeshire, and by Mr. Sprague, also a surgeon, at Kimbolton; the Wiltshire Society determined upon testing vaccination, and therefore had recourse to the experiments which I have already described. These gentlemen, as I have said, were great advocates for the system of vaccination. I will mention that, chiefly in consequence of the public interest which was excited in the question, the Government purchased 200 sheep; and that I, with Mr. Marson, the surgeon of the Small Pox Hospital, were deputed to carry out a system of vaccination. These sheep were sent down to a farm then in my possession in the immediate neighbourhood of London, and they were daily under my care and observation. I vaccinated these sheep with Mr. Marson, so frequently as to vaccinate most of them three times over, and as we did not use less than six punctures in each sheep at a time, it may be said that we made upwards of three thousand punctures. We found that not more than 35 per cent. of the punctures showed any effect at all; and, without going into details, which may be unnecessary on an occasion like this, I may say that in not one single instance was the vaccine disease developed in these sheep in a satisfactory manner. We subsequently inoculated several of the sheep, and produced the sheep-pox in that way. We also exposed several of the sheep to the natural sheep-pox, and they took it just as readily as if they had not been vaccinated. Referring for one moment to Mr. Ramsay's proceedings, I may say that Mr. Ramsay professed to vaccinate sheep on an improved principle, namely, that of first vaccinating a cow or calf, and then obtaining the material from the cow or calf and bringing it back to the sheep. Mr. Ramsay vaccinated some sheep in that manner in 1848, and two of those sheep were sent to the Veterinary College. They were selected by Mr. Ramsay himself, from a flock belonging to Mr. Ellis, of Triplow. I operated upon them by inoculation, and both of them took the sheep-pox, and after their recovery they were returned to Mr. Ellis, for any other experiments Mr. Ramsay might wish to try upon them.

1888. After the evidence you have now given the Committee, am I understand that you conceive vaccination is no prevention of small-pox?—None whatever.

1889. I will ask you a question or two relative to insurance companies. From the inspection of the insurance books, do you think any good and reliable data can be obtained as to any disease which may break out in cattle or sheep?—I fear very little; especially by reference to some of the societies which were early formed for insurance of cattle. It is a well-known fact that persons only insure in whose herds disease has recently appeared, or may be existing in some form. People who are surrounded by healthy cattle, and themselves occupying healthy farms, do not insure, as a rule; and the consequence is that we find that but a very limited number of people do insure, and those that do so are mostly persons whose stock are placed under very unfavourable circumstances as a whole. Then, again, it is well known that insurance societies are open to a good deal of deception, if I may be allowed to use such a term. I have here a letter from Mr. Smith, veterinary surgeon of Norwich, and the inspector of the Norfolk Society, in which he says: "Cattle insurance companies do not get the best stock, and are open to, and do meet with, much imposition." It is well known that many persons in the early period of the establishment of these societies did not hesitate to fill up the certificate, stating that they had had no deaths for some length of time; that is, they had had no deaths, perhaps, from a particular disease. Then, again, we know, as to the inspection of animals subsequently to the breaking out of disease when a person's stock is insured, that farmers and persons of that kind, trades-people, farriers, and cow leechers, are often the only persons employed as inspectors, and a great number of deaths are put down to pleuro-pneumonia which absolutely depend on something else; so that if I take the fact, in the first instance, of unhealthy herds being insured, and, secondly, of there not being a proper investigation of the causes of death in very many instances, I do not think we can draw safe deductions from cattle insurance societies, particularly those which have been alluded to before this Committee.

1890. Now, as to rinder-pest, what is the nearest point at which it has ever broken out in England?—Rinder-pest existed in this country from about 1745 to 1758. The nearest point that it has reached for the last 45 years has been in Posen, a division of Prussia, very near to the frontier of Russia. I said the other day, that if we draw a line from Memel, on the Baltic, to Trieste, on the Gulf of Venice, speaking in general terms, the pest has not come over that line for very many years, so as to obtain a footing in the country. Indeed, it has been exterminated as soon as it has come over. We may take Cracow as the central point of that line, as it were, so that, looking across the country, it would not be less than 1,200 miles in a straight direction. I had to travel farther than this, by at least 150 miles the other side of Cracow, to see a single case of rinder-pest.

1891. You stated that in the year 1847, and in the last century, it had broken out here. Can you give the Committee any account at all of the ravages which it then committed?—I would not trust my mind to the full details of that outbreak, but I remember this much, that in one year something like 80,000 animals were lost by the disease. The disease existed in a virulent form in many parts of England, especially in Cheshire, and the losses consequently were very heavy. From the measures adopted by the Government at the time, it was exterminated after a few years.

1892. I understood you to say that it was localised almost entirely in Russia. How could it have been imported at that time into England?—It was presumed that it was imported into England at that time in consequence of a person buying the skins of some animals in Zealand, which skins had been taken from animals that were the subjects of infection. At that period there were no sanitary police regulations existing on the continent of Europe as there are now, and consequently rinder-pest very frequently made its appearance in Germany, and spread towards Holland, and the shores of England. Another account of the introduction of the disease is, that a farmer in the neighbourhood of London bought two calves in Holland, and imported them for the

Professor *J. B. Simonds.*

7 June 1864.

the purpose of improving the breed of animals, there being at that time no prohibitory Act.

1893. Will you be kind enough to describe to the Committee the way in which animals are affected by rinder-pest, and the duration of time before they succumb to it?—In the earliest stages of the disease the animal gives but little evidence of being the subject of a fatal malady, the symptoms at that time chiefly consisting of twitchings of different parts of the body, and tremors, as if the animal had been exposed to cold. Its coat is erect, and its legs are gathered up in rather a singular manner under its body, so as to arch its back. In the course of a very few hours, a peculiar discharge comes on from the eyes and the nostrils, looking more like large masses of jelly than anything else. This is directly succeeded by violent diarrhœa, which passes on to dysentery. The animal stands until it is nearly exhausted, and then it drops; the dysentery continues, and it dies usually on the third day. If the animal survives to the end of the fourth day, it not unfrequently becomes convalescent. It is the most fatal, and also the most contagious disease with which we are acquainted. So contagious is it, that if any person visits an infected herd of cattle, and goes immediately from that herd to another, at a distance even of two or three miles, he is almost certain to carry the morbific matter in his clothes. The consequence, therefore, is, that the sanitary police regulations are exceedingly severe. They consist of isolating the farm by a *cordon,* by preventing any persons going off or on the premises, preventing the sale of anything taking place on the premises, and removal of hay or straw, or anything of the kind. In Prussia a *cordon* is kept up with such rigour, that presuming, when I went out on the part of the Government, and on the part of the English Agricultural Society, the Highland Agricultural Society, and the Agricultural Society of Ireland, which I had the honour to represent on that occasion, I had been permitted to go over the *cordon,* and to have seen any infected animals, I should have been compelled to remain there for three weeks after the destruction of the last animal; and while there, whatever I required in the way of the necessities of life, I must have received at the end of a long pole, and paid for it by dropping my money into a pan of water which stood on the edge of the *cordon.* I can read to the Committee the regulations as they exist in Bavaria, and those regulations may be said to be a type of them all, as existing in every part of the continent of Europe. Before doing so, I may make this remark, that although rinder-pest was not nearer to Vienna than about 500 miles, and although I had been from the site of the infection for very nearly 10 days, on calling at the Veterinary School in Vienna, where there is a number of cattle kept for dairy purposes, and to some extent for the attainment of practical information on the part of the pupils, I was not allowed to see the animals, or to enter the place, so rigorous are they in preventing any indirect communication between infected and healthy flocks. The regulations in Bavaria are these: "During the continuance of the pest, no cattle, dead or alive, are allowed to be brought across the frontier. Flesh, hides, entrails, horns, hair, and tallow of cattle, and bones, whole or crushed, of any animal, with their hair, wool, or bristles, are also especially prevented crossing by the *cordon;* as are woollen cloths, scutchings of leather, feathers, farm-yard manure, hay, clover, straw, and all other description of cattle fodder. When the disease occurs on a farm, the affected animals are not removed from the sheds, but the apparently healthy are taken to the quarantine station. Each commune is obliged to provide a station of this description, which is built of wood, and divided into two parts, one for the doubtful cases, and one for the supposed healthy. The Commissioners have the power of allowing medical treatment of the animals; but the veterinary surgeon must remain in the quarantine, and receive all he requires at the end of a long pole. All churches, schools, and public houses, of the district are closed, so as to prevent the congregating of people together, and remove those inducements which might cause persons to come from the infected farms. On the occurrence of illness among cattle from other causes, as well as the pest, the Commissioners do not, as a rule, approach the animals, but, standing at a distance, and within sight of them, they arrive at a decision as to the nature of the ailment, frequently ordering some food to be offered as a test of their freedom, or otherwise, from the malady. In those instances, where the Commissioners enter the stable, they are compelled, before leaving, to wash their hands, &c., with vinegar, and have their clothes fumigated with chlorine gas. All dogs, cats, rabbits, domestic poultry, pigeons, &c., have to be kept in places of security and close confinement. If the disease exist in a village through which a high road runs, the course of the road is turned, if possible; but when this is not practicable, then a guard accompanies the several travellers who arrive at the boundaries of the *cordon,* to see that they do not go upon any infected premises. The *cordon* is frequently maintained by the peasants; none, however, are taken for this purpose from an infected village, but the selection is made from contiguous villages or farms where the cattle are healthy. As soon as the malady is observed in a commune, notices are sent to all the surrounding places, so that precautionary measures may be immediately adopted by the owners of cattle. Each commune has to provide a place for the burial of the animals which die or are slaughtered, and also a waggon and horses to carry them upon; and on the disease passing away the waggon is burnt, and the horses are washed with a solution of chlorinated lime. The place of interment is likewise enclosed, and not allowed to be disturbed for several years. On an inspection of supposed cases, the animals which give indications of the malady, by spasmodic twitchings of the muscles, are ordered by the Commissioners to be taken to the burial-ground, where they are killed, and interred with their skins on, these being cut in the usual manner. Occasionally, a special order of the Government permits the removal of the skins, which are there to be subjected to a disinfecting process, under the immediate superintendence of the Commissioners. If only a few cases occur in a large herd of cattle, the Commissioners have the power to prevent the slaughtering of the exposed animals for a few days, in order to watch the result; such animals have a value put on them, which is paid by the Government. Should no animal fall ill within 20 days of the death or slaughtering of the last case, then the quarantine is raised; but the cattle which have been liberated are not allowed to go near to others until they

Professor *J. B. Simonds.*

7 June 1864.

they have been washed with a solution of chlorinated lime. On the discharge of the animals, the quarantine station is razed and burnt. The Commissioners have to report day by day every occurrence to the Government, and to give the fullest particulars, even to the names of the persons employed at the *cordon;* and the age, colour, sex, &c., of the cattle in the quarantine. The hay on a farm at the time the pest occurred is not allowed to be used for cattle, but must be consumed by horses and sheep." Such are the regulations existing in Bavaria, and, as I have just expressed it, they are only a type of those which exist throughout the whole of Prussia and the countries that lay between us and the pest, and therefore they would be enforced in every individual instance in which the pest made its appearance in its progress from the east to the countries from which we are directly importing animals.

1894. There has been a report that those diseases have followed the Austrian army into Denmark; have you made any enquiries as to the truth of that report?—There was a report which reached the Government at the time the Austrian army left Austria, and crossed Germany to enter Denmark, in consequence of that it had carried the disease of rinder pest into the Duchy of Holstein, and subsequently into Schleswig, taking on with it the necessary supplies of cattle. Hearing of that report, and knowing that the Government had taken steps on it, viz., to give especial orders to the inspectors at our different ports to be on the alert to prevent any disease of this kind getting into the country in the ordinary manner, by the importation of foreign cattle, I deemed it a matter of so much importance that I investigated the whole thing, and put myself in communication with persons on the Continent, and also with the cattle importers of this country and many other individuals, and I arrived at a knowledge of the fact, that there was no foundation whatever for the report; that there were no animals that followed the Austrian army from Austria Proper through Germany into the Duchies; that the very first week after the Austrian and Prussian armies arrived in the Duchies the supplies of beef were drawn from Hamburg market, and that subsequently contracts were taken by individuals, two in particular in Berlin, for the supply of the united armies, and that those persons obtained their animals from various parts of Germany. The army, as we all know, was also to some extent supplied by animals belonging to the country in which it was located. The whole facts, therefore, go to show that it was but an idle rumour; that it had no foundation in truth. It would be scarcely possible, after those regulations which I have read to the Committee, for the disease to follow an army unless, as I observed the other day, we had a general European war, and all sanitary police regulations could not be enforced.

1895. Have the precautions taken with regard to rinder-pest been successful?—Invariably. The disease is hemmed in on a farm. I gave evidence to some considerable extent on that point, and laid details and facts before a Committee which sat in 1857, and I think proved that, supposing there were 2,000 or 3,000 animals in a parish where these laws were enforced with reference to a particular farm, that the disease was hemmed in, and did not spread, simply from the circumstance that it is a contagious disease or one which has a a very short range, as it were, of infection. I therefore hold that foot and mouth disease and pleuro-pneumonia cannot be affected in the same manner by any such laws, because these diseases spread as epidemics from atmospheric causes and not simply from limited contagion. They cannot, therefore, be legislated for in the same manner.

1896. As I understand, from the evidence you have given us to-day, it has been confined to those diseases alone, which you recommend should be left in the schedule?—I recommend, as contagious diseases to be left in the schedule of the Home Bill, small-pox in sheep, glanders in the horse, and pleuro-pneumonia, although, as I have said, I do not think the measure will be very effective to prevent it; the letter rinder-pest might be left in simply to guard against the extension of the disease in this country under very unforeseen circumstances.

1897. Do you not think it would be very much better, in any Bill that we recommend to the House of Commons, that there should be two schedules, one which should include the two diseases of which you have been speaking, which are contagious in the greatest degree, and very fatal, and that there should be another schedule which should include the minor diseases, and which should be subjected to a fine alone not exceeding 20 *l.*; and if so, what diseases would you put in the second schedule?—I think it would be prudent to have two schedules attached to the Bill, and that the diseases named in one schedule should be brought under the operation of the Bill, in so far as Her Majesty in Council has power to order the destruction and burial of animals, and the selling of any material off the farm, and so on. The provisions which appear in "part two" might be made applicable, and should be so made to such a disease as small-pox in sheep, and rinder-pest in cattle. Beyond those two diseases I would not allow any of those provisions to apply. The second schedule, therefore, should contain glanders, pleuro-pneumonia, and the scab in sheep. I would put three diseases in the one schedule, and two diseases in the other schedule.

1898. I now come to the diseases, leaving out glanders of course, which you recommend to be put in the second schedule; among the principal is pleuro-pneumonia; will you be kind enough to tell us with regard to that, what preventive measures have been taken on any farms you have visited, and whether they have been effectual?—I believe pleuro-pneumonia on a farm, on the whole, to be a more controllable disease than we might at first sight imagine. I have already stated to the Committee that, if left unchecked, as it not unfrequently is in the London dairies that out of the number of animals that are the subjects of the disease, it is not unlikely that 70 or 75 per-cent. would have to be killed, or would die if not slaughtered. If we take the disease as it shows itself very frequently on farms in this country, I know from extended practical observation, that we can arrest the progress of it to a very considerable extent, limiting it perhaps to four or five animals out of a herd of about 25. That is best done, in the first instance, by isolating the healthy from the unhealthy animals, because it has already been explained that pleuro-pneumonia is to some extent contagious. You therefore cut off a source of mischief in that way. The other animals it is necessary to bring into a most healthy condition, and to invigorate their systems, that they may resist the influence of the contagion, and also to keep

Professor *J. B. Simonds.*
7 June 1864.

keep all the organs of their body in an active condition, that they may throw off any morlific matter which already has entered into their organism, so that if I found a number of animals were living even upon oilcake and corn, with good hay and turnips, being fatted for the market, I would increase the quantity of cake, corn, and hay, and have their constitution kept as much as possible in a state of vigour. I would in no wise think of taking any blood from those animals, or of giving them any aperient medicine as a rule. If aperient medicine were given, it would simply be to carry off any offending material that might be in the intestinal canal. Subsequently to that, I should place them under such an agent as nitrate of potash, which acts gently on the kidneys, after having acted previously on the blood. This agent has a special action on the blood. I should alternate the nitrate of potash with the sulphate of potash, which is a very excellent antiseptic agent, and one which has evidently considerable power in breaking up morbific matter; and it is found to have a power of this kind, even within the organism of an animal. Subsequently to giving the animals nitrate of potash and sulphate of potash, I should then have recourse to some tonic agents, such as sulphate of iron, blending it with some other vegetable tonics; but I do not put so much dependence on tonic agents, as I do on agents which will purify the blood, and consequently help nature, under improved circumstances of feeding and management, to throw off the poison. I find, if I carry out this treatment properly that I very frequently arrest the progress of the disease. I may mention, perhaps, without saying to whom the animals belong, that a noble lord, not more than three months ago, consulted me in a case of this kind. He has a valuable herd of Alderney cows which have been treated in this manner. He has also a very valuable lot of pedigree shorthorns on his place. The deaths out of the whole number of animals have not been more than four up to the present time, and we have not had any case now for so many weeks, that I believe the herd to be free from the disease.

1899. During the incubation of the disease, it is very difficult for a farmer or dairyman to perceive it?—During the period of incubation it cannot be detected by a farmer or dairyman. In its period of invasion, when the animal begins to cough and to refuse its food, and to have an unhealthy looking state of its coat, and to breathe somewhat heavily, then it may be detected by a farmer or dairyman.

1900. From the time that occurs to the period of its death, or getting over the disease, how long a time elapses?—That will depend entirely on the extent of disease in the lungs of that individual animal. An animal may not live more than four or five days, or it may live on for as many weeks, and even longer. It not unfrequently happens, that where pleuro-pneumonia assumes a mild type, that a portion of the lung undergoes changes, dies, becomes detached from the rest of the lung, and remains locked up in the interior of the healthy lung. Such an animal feeds well, becomes perfectly fat, and goes to the butcher as good an animal as it is possible to be, and it is only known to have ever had pleuro-pneumonia from finding a little bit of diseased lung in the centre of the healthy lung, probably about the size of one's fist. A case of that kind, therefore, would be protracted for many weeks.

1901. Now, as to its existence in Cheshire, it has existed there for a long time, has it not, amongst the dairy cows?—The disease has existed in Cheshire, in common with other parts of the country; but, from the information I am in possession of, I do not think that there is any real ground for the statements which have been put forth, that the disease at the present time is very prevalent in Cheshire. I saw a statement to that effect, and I wrote, consequently, to every veterinary surgeon in Cheshire. I have not, up to the present time, received information from every veterinary surgeon, but I have received information from several. I have three letters now before me, which came from Cheshire, one only this morning, and they are all unanimous in the statement that there is little or no disease, either foot and mouth disease, or lung disease, amongst the cattle in Cheshire.

1902. Then you conceive, at present, that the country is very free from these contagious or infectious diseases?—As far as pleuro-pneumonia is concerned, I believe that the country is as free from it now as it has ever been since the disease first showed itself in 1840–41, and not only so, but that the disease is assuming a much milder type than it has ever done, since we became familiar with it. The recoveries now are many more than they used to be.

1903. I understood you to say, the other day, that you did not conceive measles to be contagious; is it easy to discover, from examination, that pigs have the measles?—Measles, although inserted in the schedule attached to this Bill, ought not to be so, because it is an affection which is not contagious. It is a disease which exists only in one of our domesticated animals, viz., the pig. It can be discovered in the pig only by the most minute examination, and very frequently, indeed, that examination will fail to detect it. By a minute examination, I mean such an examination as this. We see a pig which is perhaps unusually fat. We feel that pig, and we find that it is flabby; that it does not feel like a pig well fatted, but that it feels puffy. It yields to the pressure which is put upon its body, in different parts, particularly over the shoulders. We observe pigs of that kind not unfrequently squeaking as if they were in a little pain, particularly if made to undergo exertion. They are always incapable of undergoing exertion. They walk a short distance, and then lie down, and they soon become tired. If we take a pig of that description, and examine it by throwing it down, and opening its mouth, and passing the finger along the under part of the tongue, we may sometimes feel little vescicles, or a series of little nodules. These are the parasites which are existing in that situation; but as the parasites exist generally in the flesh, and which specially consists of little water-cysts containing a very minute hydatid, called the *hydatis cellulosæ*, so it frequently happens that there may be a great number of them in the flesh of the animal without there being any in the situation to which I have referred. Therefore, an examination would fail to detect measles in a case of that kind. Measles, therefore, cannot very often be readily detected, and it is not a contagious disease. It interferes with the quality of the flesh; but it certainly cannot in any manner be propagated in the ordinary manner that contagious diseases are propagated.

1904. Then, from what you have stated, with regard

regard to measles, am I to understand that you would exclude the measles from either of the schedules which you have recommended in the Cattle Prevention Bill?—Decidedly so.

1905. Now, I go on to the scab in sheep; that, I believe, is very contagious?—Scab in sheep is very contagious. I think we have a greater right to use the term "contagious" than "infectious," because it is a disease which is only communicated from one sheep to another through the medium of the acari. That is a small class of creatures, belonging to the mites, that are productive themselves of the disease, and travel from animal to animal and thus infect the flesh. It is well known that if an animal, the subject of this disease, is put into a flock of healthy sheep, and particularly during the summer months, the disease will very soon indeed affect every individual sheep, no matter how many there may be. It is also well known that if you take sheep from out of a field where they have been for, say, a month or so, that were the subjects of the disease, they will by rubbing themselves against the posts and gates and hedges, and so on, leave locks of wool about in these situations. Acari are very frequently adhering to those locks of wool. They will remain alive for several days after the locks of wool have been detached, so that if we put a healthy flock of sheep into that field very frequently indeed the disease is thus propagated. The same argument will apply to trucks on railways, to pens in fairs, and everything of the kind, and for this reason I consider that scab is a disease which should be legislated for. It is well known also that sheep which are affected with scab cease to lay on flesh. They not only cease to lay on flesh if ever so well kept, but they absolutely waste under these circumstances, and if they are not well kept they are sure to waste very fast. There is a great loss in mutton, and a very serious loss in wool, for the wool comes off in detached portions; the whole skin ultimately becoming in a most unhealthy condition. For these reasons, I consider that scab should be legislated for.

1906. So on the evidence which you have given to us, leaving out glanders, which is not the subject of enquiry, I presume that you recommend that in Schedule 2 should come glanders, pleuro-pneumonia, and scab?—Just so.

1907. Anything else?—I think not.

1908. Relative to the foreign importation, is it a fact that, previously to the animals being put on board in foreign countries, they undergo an examination?—At the present time, I believe there are no animals put on board vessels coming from Holland that are not subjected to an examination by a veterinary surgeon before they are exported. That is a precautionary measure, which has been taken on the part of the importers, because it has frequently been found that animals have been in a healthy condition when put on board in Holland, and that they have taken foot and mouth disease on the passage, and consequently when they have arrived in England, some two or three perhaps, out of a cargo of as many hundreds, are found to be the subjects of this disease. The law, as it is at present carried out, with regard to the importation of cattle, allows the inspector to retain these animals at the wharves, and thus a considerable loss occurs in the amount of beef from the detention of the animals. There is also in this way a great interference with trade, and the importers, therefore, are continually complaining of the detention, and to protect themselves to some extent, they have ordered that all the animals shall be examined before they are put on board in any port of Holland. With regard to animals that are exported from Hamburgh and also from Tonning, as the chief ports of Holstein and Schleswig, sanitary police regulations are in operation, so as to prevent any animals that are affected with foot and mouth disease, or lung disease, or any other supposed contagious disease, travelling along roads, crossing frontiers, and so on. It is impossible, or nearly impossible, for them to do so, and, therefore, we have a great security against any diseased animals being put on board vessels coming from those ports. Referring again to the entrance of the Austrian army into Holstein, I may say that the sanitary police regulations were and are still kept up; that the animals which went into Holstein from Mecklenburgh for the supply of the Austrian army originally were subjected to these regulations, although the country was occupied by foreign troops. Cattle are still subjected to an inspection at the frontier, and every animal found to be infected with any disease of a contagious nature is turned back and not allowed to go on. This will help to convey to the minds of the Committee the precautions taken in these countries, and by those precautions, as before explained, we have a certain amount of protection afforded against the introduction of diseased animals into this country.

Professor *J. B. Simonds.*

7 June 1864.

1909. Is it very necessary now, on this side of the water, to take care as to who should be the inspectors and their qualifications to become inspectors?—I think that the greatest possible care is necessary as to that, and more particularly to guard against such a disease as rinder-pest and sheep-pox.

1910. Do you happen to have any extraordinary instance of cattle being condemned when they came here; and can you give us the history of a particular boat-load?—I am not aware that there have been any cattle condemned of late; I mean by this, within a few months, that have led to any particular investigation on the part of the importers as to the proceedings of the inspectors. Such things, however, as detention are weekly occurring; scarcely a week passes but we find some animals detained at one or other of the wharves, to the extent of 300 or 400, simply because there may be two, three, four, or a dozen that are the subjects of the foot and mouth disease. The whole cargo is detained under these circumstances. It has happened that animals have been detained here, and have been kept in quarantine for (in one instance) 10 days, without their being affected with any disease at all; I have several particulars of cases of this kind; there is one here to which I will refer, which occurred in May 1859.

1911. You mean the Hull case?—The Hull case, as it is called, is simply this: that in March 1859, 104 head of cattle arrived here by a vessel called the "Leo," and those animals were detained by the inspectors of the Customs, under the belief that they were the subjects of the foot and mouth disease. An examination of these animals by the importers led to a different opinion being arrived at. I was sent for to examine them; I did so, and pronounced them to be perfectly free from any disease of the kind. The consequence was, that as the Customs' inspectors would not allow the animals to be removed from the wharf, the importers had them put on board

Professor *J. B. Simonds.*

7 June 1864.

the vessel, and again carried over to Holland. Here most of them were re-shipped and sent into Hull, and as there was no difficulty experienced in passing them at Hull they came on by railway to London and were sold in the London market.

1912. *Chairman.*] You have stated in your evidence that you think the foot and mouth disease should be excluded from either of the schedules of the Cattle Diseases Prevention Bill?—I have.

1913. That, I apprehend, is on the ground that you think the injury to trade will be far greater than any benefit which can possibly occur from preventing the spread of that disease, by selling either fat cattle or store cattle with the disease in the different markets?—Just so.

1914. You have given to the Committee a case, and you stated that you knew other cases, in which cattle imported from abroad with the foot and mouth disease have been stopped?—Yes.

1915. Do you think that is fair as regards the foreign trade?—I do not. I think it is exceedingly unfair as regards the foreign trade. There is another case, where 72 Spanish cattle came into England also in 1859. Those animals were detained at the wharf. There was again a difference of opinion as to whether they were or were not the subjects of the disease. I then examined them, and reported every animal to be perfectly healthy. They were put into quarantine, and were allowed by the inspectors to come out a few at a time. They did so come out and were sold. Most, if not all of them, however, were killed at the wharf, and were examined minutely by myself. Every animal was in a healthy state and perfectly free from the foot and mouth disease. I went down at the request of the importers, day by day, to examine the animals. The last animal did not come out of quarantine until eight or ten days after the detention, and that animal came out sound.

1916. I apprehend that the effect of that would be to diminish the number of foreign cattle brought to the London market?—Most decidedly.

1917. Do you consider if foot and mouth disease is excluded from the schedule of the Cattle Diseases Prevention Bill it ought also to be excluded from the Cattle Importation Bill?—Certainly; I think there should be a schedule attached to the Cattle Importation Bill, in the same manner as there is to be a schedule attached to the Home Bill; and that that schedule should include certain diseases, viz., pleuro-pneumonia, rinder-pest, and small-pox in sheep.

1918. Would you apply the Cattle Importation Bill to cattle that are imported between ports in England, or only to foreign cattle?—I do not think there is any necessity for applying the provisions of the Bill to Ireland or to Scotland. If we strike out foot and mouth disease from the schedule of diseases, I feel quite sure that the number of animals which are sent from Scotland or from Ireland, that are the subjects of pleuro-pneumonia, are so few, that, we being provided with the general regulations of the Bill with regard to the penalty of 20 *l.*, we have ample security; and I would get rid of that part of the Bill entirely. I would not encumber trade by anything of the kind.

1919. You would rely on the provision as to subjecting anyone who sends an animal with pleuro-pneumonia, knowingly, to market, to a fine of 20 *l.*—Yes, to a fine not exceeding 20 *l.*

1920. Would you extend that to putting an animal on board ship for exportation?—Yes; I would make the same measure apply to that.

1921. You have stated that very stringent regulations, as regards inspection, are enforced abroad previously to shipping cattle for this country?—Yes.

1922. Are there any regulations of that kind in Scotland or in Ireland, as to the exportation of cattle?—I believe not.

1923. Is it not then *primâ facie* that more precaution, if anything, would be necessary, in regard to cattle imported from Scotland or Ireland, to London, than from the Baltic ports?—No, I think not; foot and mouth disease prevails in every part of England, Scotland, and Ireland, from time to time, and if we allow animals in Northumberland to be sent to London or to fairs and markets, although these diseases may show themselves among them on their journey, I do not think it would be fair to Ireland or Scotland to put restriction on animals coming from those countries into England; I cannot see that it would be right to have a different law for a country which is north of Berwick-on-Tweed, to that which exists on this side of Berwick-on-Tweed.

1924. I was comparing the way in which it was proposed to treat the foreigner who sends cattle in ships from foreign countries to England, and a native of this country who sends cattle in the same way; would not your argument go rather to prevent foreign cattle from being subjected to any examination whatever?—No, I think not. We should keep up the system just as rigorously if we remove the foot and mouth disease from the schedule as otherwise, and particularly so in consequence of the small-pox in sheep being a disease which exists to a considerable extent, and takes somewhat of an epizootic form on the continent. And, further, as that disease is incubated in the system for a time, so it has happened more than once that animals in whose systems the disease was so incubated have been sent from infected districts abroad into England. We, therefore, guard against sheep-pox by a system of inspection at our ports, and also against adding to the amount of lung disease; and we further guard against the introduction of such a disease as rinder-pest. If we send cattle from Ireland and also from Scotland, necessarily as we must do, from Ireland in ships, I perhaps should see no objection to the law being made to apply to an examination of those animals as being free from lung disease. It can only be made to apply to their being free from lung disease, because small-pox does not exist in Scotland nor in Ireland. It is not a disease common in those countries the same as it is to Germany. Rinder-pest has no existence in those countries, therefore, the law could only practically apply to the examination of animals when put on board, say, in a Scotch port, or an Irish port, as being free from lung disease.

1925. The Queen in Council would have power, supposing an outbreak of small-pox in sheep happened to occur either in Scotland or in Ireland, to place that part of the country in which it occurred in quarantine?—Just so, the Queen in such an event has that power.

1926. Which power she could not exercise in a foreign country?—No.

1927. So that that power, I apprehend, would be sufficient to prevent the importation of sheep with

with small-pox into England from Scotland and Ireland?—Yes.

1928. Rinder-pest not existing in Scotland or Ireland, it would therefore be really reduced to lung disease?—Yes.

1929. The question would simply come to this; whether it would be of sufficient importance as a safe-guard to those who buy cattle in England to subject the importation of cattle from Scotland and Ireland to examination, in order to prevent the spread of pleuro-pneumonia?—Just so.

1930. Do you think it would?—I do not know that it would much encumber trade. At the same time, for the reasons which I have given, I am inclined to think that no such enactment would keep pleuro-pneumonia much in check in this country.

1931. Is it your opinion, that it would or would not be advisable to have an examination for the purpose of preventing the inportation of beasts with pleuro-pneumonia from Ireland and Scotland?—I think it would be advisable.

1932. Colonel *Barttelot.*] I distinctly understand that foot and mouth disease, in your opinion, should be struck out of both schedules?—Yes.

1933. Then, with regard to pleuro-pneumonia, you would put that in Schedule 2, in which a fine only can be imposed?—Exactly so.

1934. I wish to know how far you think that fine ought to be carried; supposing a man sends 150 head of cattle to Chichester Market, and I buy 50 head of cattle from that man; I get those cattle home, and three weeks afterwards pleuro-pneumonia breaks out; in such a case as that, what would you recommend to be done?—I think, when it can be shown satisfactorily that the individual selling those animals had knowledge that some of the herd had been affected with pleuro-pneumonia, the full fine of 20 *l.* should be inflicted.

1935. I am presuming he had no knowledge of that; that the disease was in the process of incubation, and that it broke out in the lot I bought perfectly unknown to the cattle dealer?—If he has no knowledge of it whatever, I cannot see the justice of fining him for having sent a number of animals which he believed to be healthy into the market.

1936. He would be subject to it by the Bill?—No; it must be "knowingly."

1937. Is it not the usual thing for cattle diseased with pleuro-pneumonia, or any other disease, to be sold privately, and then sent to their destination?—I do not think there is much real sale of diseased cattle privately in this country. If a farmer has got a herd of cattle in which pleuro-pneumonia exists, he could not offer any of the animals for sale that were the subjects of the disease. He could not find any dealing man who would buy them. With regard also to foot and mouth disease, a man on his own farm will scarcely find a dealing man to buy them at that time, nor would he deem it prudent to offer them for sale. They are depreciated in value for a few days. He would wait until the animals recovered. I do not think there is much traffic in that way.

1938. I was speaking particularly of pleuro-pneumonia. Is it not within your knowledge that if an animal dies, or is killed in an advanced stage of pleuro-pneumonia, in the country, that there are people who purchase that animal, and send it to a certain destination?—I beg your pardon. I did not understand the question. There can be no doubt that there is a great trade of that kind; that is to say, if a person has a number of animals that are the subjects of pleuro-pneumonia, and if those animals are feeding animals, and they have any amount of beef on them at that time, he sacrifices them, that is, slaughters them, and sends them into the dead meat market. If an animal is killed, even in an advanced stage of the disease, that animal is very often disposed of in the same manner; but I believe that there are no facts whatever to show that any injury has resulted from persons eating the meat of slaughtered animals even in an advanced stage of pleuro-pneumonia.

1939. Mr. *Leader.*] With regard to inoculation for pleuro-pneumonia, I think you seem to think that there is very little benefit to be derived from that operation?—I stated to the Committee that, in my opinion, there is little or no benefit resulting from the inoculation, as it is called, of cattle for the prevention of pleuro-pneumonia; I have already said that it is not really inoculation; it is nothing more nor less than creating a little counter-irritation in a remote part of the body for a certain length of time, and that is not always, by the use of material which comes from the lungs, a harmless thing. I consider that a seton introduced into the dewlap or any other part of the body will be equally protective against pleuro-pneumonia, if protective at all, as the so-called system of inoculation. I have referred to the ill consequences which sometimes arise from the so-called inoculation of cattle for the prevention of pleuro-pneumonia; they consist especially of mortification resulting from the operation, and the extension of that mortification upwards from the tip of the tail, where the fluid from the lung is inserted, thereby not unfrequently destroying the animal; but, if not destroying the animal, at any rate the animal's life is only saved by amputation of its tail. According to returns which I obtained in Belgium, when I reported on this subject, I investigated the inoculation of cattle there, and sent two reports to the Royal Agricultural Society on it; and I also carried out a series of experiments in England on the same subject—I found that there were not less than 12 per cent. of animals that lost their tails from the insertion of the fluid which comes from the lungs, and I also found that an equal, or nearly an equal number, ultimately became affected with pleuro-pneumonia. To show that it acts only as a drain on the organism, is this fact, that when I carried out a series of experiments in England to test its supposed value, I had recourse to the introduction, not of the the fluid coming from the lungs of a diseased animal, but to an irritating fluid somewhat similar to that which I have described as being used by Mr. Wells, surgeon in Norfolk, some years ago on sheep, and I found that those animals so experimented on resisted pleuro-pneumonia on the same premises equally as well as those that had had the fluid from the lungs inserted in their tails; the one was just as protective as the other.

1940. If a person of experience said, "This mode of treatment, extended over a period of seven years, during which time I have inoculated and caused to be inoculated several thousand of animals, and in no single instance has the disease ever re-appeared;" could you qualify that statement?—I am not aware that there are secondary attacks of pluro-pneumonia in any animal. My experience goes to this: from direct experiment, that in 10 per-cent. of the animals, as was the case

Professor *J. B. Simonds.*

7 June 1864.

in Mr. Paget's herd, the disease of pleuro-pneumonia appeared after they had been inoculated.

1941. Then, your testimony does not agree with this gentleman's evidence?—It does not; in the case of Dr. Wilhelm, who was the originator of the system on his father's own herd, at Hassalt in Belgium, where I spent three weeks in investigating the affection, I found that they admitted that 10 per-cent. of the animals that were inoculated took the disease afterwards.

1942. As to importing cattle from Ireland; supposing that the cattle from one district in England were to be subjected to supervision, that would prevent the cattle in the neighbouring district from being exposed to so much risk; but do you see any reason why Irish cattle should be exposed to greater examination than cattle coming from any one district of England?—I do not; I think that when those animals arrive in England, there being a penalty of 20 *l.* in operation, protecting us against their being affected with pleuro-pneumonia, that is sufficient.

1943. Mr. Alderman *Salomons.*] I have one or two questions to ask you with regard to inspection; as I understand from you, you say that there is an inspection at all the ports from whence we import cattle in large quantities?—I do not think that I stated there was an inspection at all the ports; but from the ports of Holland in particular.

1944. Holland and Holstein?—In Holstein and Schleswig we have the ordinary sanitary regulations of the country, which may be looked upon as an indirect mode of inspection. For instance, take a vessel which is about to start from the port of Hamburgh; if a cattle-dealer buys up any number of animals to send to England, outside the town of Hamburgh, he is absolutely not permitted to allow them to enter into the town to go to the place of embarkation until they are examined. So, if they are bought anywhere in Mecklenburgh, and have to come over the frontier to Holstein, they are examined at the frontier. Not only is that the case, but if there was any reason to suspect that they were the subjects of disease, they are prevented from being sent anywhere across the country, just as we are attempting now to legislate to prevent animals affected with pleuro-pneumonia being sent across our country. Therefore, for these reasons, we get an indirect supervision, as it were, of the animals in these places; but in Holland there are veterinary surgeons that are especially employed to examine the animals, when they are brought from a different parts of the country, before they are put on board the vessels.

1945. Take Holland, for example, from which we get a quantity of cattle; are they virtually inspected or actually inspected before they are put on board?—They are inspected before they are put on board. I am speaking, not from my own observation entirely, but from information that I have derived from very reliable sources. There are importers who will probably be called before this Committee, who will explain fully the details of the system now in operation. I know, when I was in Holland, investigating diseases of this class, that one shipping company had a veterinary surgeon appointed to it, and he examined all the animals sent by that company, and I have since been told that the system then adopted by that company has since been adopted by all the other shipping companies.

1946. I want to carry you from that to the other question asked you, I think, by the Chairman, whether you would have a system of inspection in Scotland and Ireland for cattle that are carried by sea?—If any system of inspection is adopted in Scotland and Ireland, I think that system of inspection should take place before the animals are put on board the vessels. It might be a prudent measure at the Scotch ports, and also at the Irish ports, to have an inspector to see that the animals were free from such diseases as we propose to retain in the Bill before they are put on board. It would be an extra precautionary measure.

1947. Constituted as this country is, would not that be a great embarrasment to trade?—I think it would interfere with the regulations of trade. I have before said, that I do not see that we ought to legislate differently for animals coming from Ireland and Scotland than if coming from different parts of England. I thought your question had more especial reference to the propriety, whether it might not to some extent be considered a precautionary measure.

1948. What I wanted to come to was this: if you would have a system of that kind for cattle carried by sea, why not for those carried by railway, and where would you stop?—That is the very difficulty that I see in the matter. I do not think you should allow animals to travel by rail without any inspection at all, and that you should have animals that travel by boat inspected. You disturb the trade, and you would throw all the trade into the hands of the railway companies at the expense of the shipowners.

1949. Is there not this particular line of distinction to be drawn between home traffic and foreign traffic; that at home, the man who sends them is made responsible to our laws, and the man abroad is not; and, therefore, a buyer here in London would be glad to have the certificate of the foreign country, whereas at home his own laws will protect him in case he is illtreated by the man that sends the cattle—It is so; and I consider that that is quite sufficient.

1950. Therefore no actual inspection, such as they have abroad, is necessary?—I think not.

1951. Lord *Naas.*] Pleuro-pneumonia is not more rife in Scotland and Ireland than it is in England, I believe?—No; I believe it is not more rife; perhaps it is less rife in Scotland than it is in England or Ireland. It is well known that a great number of animals sent into this country as store stock from Ireland become affected with pleuro-pneumonia in the course of a short time afterwards; but I believe that depends entirely upon the privations to which those animals are exposed, and the system in operation with reference to their importation and management after they get here. Animals are collected from various parts of Ireland, and they are sent, say, to Dublin. They come over, and very frequently, indeed, if it is low-water, some of them have to swim ashore. They are then collected in droves, put into trucks, despatched across the country, and it not unfrequently happens that animals which are upon Norwich Hill to-day were in Ireland three days before. They are mostly young animals 18 months or two years old. Many are ill adapted to undergo all this exertion and privation, and it is found that being exposed to all inclemencies of weather, and travelling at a rapid rate through the country exposed to cold winds, and so on, they become affected afterwards with this disease.

1952. Though

Professor *J. B. Simonds.*

7 June 1864.

1952. Though they may not have had any seeds of the disease in them when they left Ireland?—Yes.

1953. According to your experience, beasts in a poor and emaciated state are more liable to take the infection than beasts in a fat and healthy state, is that so?—In part so. The susceptibility of animals to take pleuro-pneumonia is due to a variety of causes. If you congregate a large number of animals together, especially if they are milking animals, as is the case in this town, and other large towns, we find they are thereby rendered more susceptible of pleuro-pneumonia; but speaking of the country generally, there can be no doubt that animals which are exposed to privations, which are badly kept, and so on, are those which are the most susceptible of pleuro-pneumonia.

1954. But still, speaking generally as far as this country is concerned, you would not subject animals travelling by steamboat between the various ports of the United Kingdom to any further inspection than you would subject those animals travelling by rail between different parts of the United Kingdom?—Certainly not.

1955. You have said, I think, that you would propose to exclude from the operation of the second part of the Bill altogether the diseases of pleuro-pneumonia, scab, and glanders?—Pleuro-pneumonia, scab, and glanders should be excluded from that schedule.

1956. I am not speaking of the schedule, I am speaking of the second part of the Bill?—From the second part of the Bill which applies to Orders in Council I would exclude scab, glanders, and pleuro-pneumonia.

1957. And you think that the second part of the Bill ought not to apply in any of those diseases?—I think not.

1958. You propose that the first part of the Bill should apply to the diseases I have named?—Yes.

1959. How would you propose to enforce this provision, which renders it penal for any person to turn out in any fair, chase, wood, or roadside a diseased beast?—It can only be enforced, I believe, by allowing any individual the power under that part of the Bill of giving information against a person so offending; that person thus rendering himself liable to a penalty of 20 *l.* for so doing.

1960. Would you do that through the agency of the police, or would you merely leave it to be acted upon by the public generally, by neighbours, or by any person who felt himself aggrieved?—I would leave it in the power of any individual.

1961. You would not make it a matter of police regulation?—No.

1962. Would you also apply that remark to the other two provisions; that is to say, keeping a diseased beast in the field insufficiently fenced, or in a stable, without notice to the owner, or taking a diseased cattle along a highway, without using practicable precautions?—That is the only way, I think, in which you can carry out those provisions of the Bill; and I consider that it is, perhaps, the best plan, although I can imagine that at times it would be a very great hardship to individuals.

1963. Now, we will take the case of a sheep affected with scab on a mountain side. There are no fences there at all. How could that second paragraph be carried out with regard to sheep in the Highlands of Scotland, or in large districts of Ireland or Cumberland and Westmoreland?—It could not be carried out, nor could it be carried out in some parts of such counties as Norfolk, Wiltshire, and Hampshire as examples, where there are farms that are either heath-farms or down-farms, as they are called, and, therefore, I have thought there ought to be a definition as to what should constitute an open field. For instance, if a man occupies a farm, as is the case in many parts of Wiltshire, entirely downs, that if that is land for which he pays a rental for every acre, he should have all the rights and privileges that he would have supposing that his farm were all fenced in. He cannot allow animals to go at large.

1964. Then you think the second paragraph of this Bill is wholly inapplicable to the circumstances I have mentioned?—I think so.

1965. As to the third paragraph, with regard to driving sheep along a highway without using all practicable precautions to keep them separated from the cattle of other owners, do you think it would be possible in the case of animals brought in large numbers, particularly sheep, to fairs?—I have already said in my examination on a former day that I think no proper system of inspection could be carried out.

1966. I am not alluding to a system of inspection, but merely to the possibility of carrying out the third paragraph of the fifth clause of the Bill, with regard to cattle and sheep being driven along a highway on their way to market, so far do you think it would be possible to enforce that clause?—There would be the greatest possible difficulty in doing it.

1967. Now, we will go a little further; do you think it would be possible or right to prevent the exposure for sale in any market of sheep affected with scab or of beasts affected with pleuro-pneumonia?—Yes. I think it would be right to prevent the exposure for sale of animals labouring under either of those diseases. Pleuro-pnemonia, as has been stated again and again, is a contagious disease, and, as such, an animal labouring under it, if mingling with other animals, would, as a source of infection, do mischief. The disease, therefore, would be spread to some extent, not to a great extent, perhaps, but it is likely to be spread in that manner. With regard to scab, that is a disease in which, as I have shown, a number of sheep going into a pen to day, these sheep being the subjects of scab, and rubbing themselves against the posts and so on, where there are weekly markets held, as there are, for example, in some parts of Berkshire, it is quite possible that in the summer time especially a number of scabby sheep may go into a pen to-day, and a number of healthy ones go in a week afterwards and take the scab, because some of the insects are hanging to locks of wool on the rails or posts.

1968. These precautions may be very valuable and necessary as regards store markets; you have said you do not believe the meat of those animals is an injury to health; how would you propose that fat animals suffering in the preliminary stages of this disease should be disposed of?—If animals affected with pleuro-pneumonia came into a fat market, animals which are known by critical examination to be the subjects of that disease, because, as has been said, it is not every animal which gives evidence of illness which is the subject of pleuro-pneumonia; although it may

Professor *J. B. Simonds.*

7 June 1864.

be supposed by a common observer to be so, I think that they should be sent to a public slaughter-house and be killed. It would be to the advantage of everybody to kill such animals pretty soon.

1969. Would you propose that in fat meat markets a portion of the market should be set apart for the sale of those animals, or that they should be excluded from the market altogether, and slaughtered immediately on the order of the inspector?—I do not think it would be prudent to have one part of a market that you would call the diseased part, and another part that you would call the healthy part; nor do I see any practical advantage that would arise from it. Take some diseases, we know that they are not merely contagious but infectious, you give no security, therefore, in having animals the length of this room or much further removed from other animals.

1970. How would you provide for the sale of these animals?—I should allow them to come to market in the manner they do now; we have very few animals sent to fat markets that are the subject of pleuro-pneumonia; they are animals which have recovered from the disease which are sent, as a general rule; it is a very exceptional case for a man to send an animal which is absolutely suffering; in fact, the animal is not in a condition to be sent to a fair or market, and I think there is sufficient security in this.

1971. Your idea then would be that the animal should be allowed to come to market, and should be sold there, but precautions should be taken for its slaughtering as soon as possible?—Just so.

1972. And that the authorities should be armed with the power of seeing that as soon as convenient the animal so sold should be put to death?—Yes.

1973. And in fact turned to use as soon as possible?—Yes; that is the regulation in the fat meat markets of the metropolis.

1974. Perhaps you are aware that there is no such provision to be formed in this Bill?—There is no such provision in this Bill.

1975. Therefore you would prefer a provision such as you have now suggested to that which is found in clause B, in the second page of this Bill?—Yes, if it could be provided for in a simple manner.

1976. Would you prohibit or give power to railway companies to refuse the transmission of all sheep affected with scab and all beasts affected with pleuro-pneumonia by railway?—I think the greatest possible caution should be exercised in carrying out any provisions with regard to the transmission of animals across the country by railway; and I certainly should not be content to allow that portion of the Bill to stand as it now does, namely, that any officer of any company should be able, if he thought animals to be affected, to prevent their being transmitted. If there is any power of that kind, it should be vested in an individual who is a proper judge.

1977. You think it would be a very dangerous power to leave in the hands of a railway official, to enable him to refuse to transmit any animals that are sent to a railway station by the owners?—Most decidedly so.

1978. Therefore you do not approve of the provisions of clause C?—It being proposed to legislate for the sending of animals to fairs, and markets suffering from pleuro-pneumonia, and also from some other diseases which have been mentioned, I think that some power or similar penalties should apply to individuals who knowingly send animals in this condition by railway.

1979. Then you would limit generally the operation of the Bill to persons who should knowingly and wilfully expose the animals to the infliction which they are perfectly well aware exists in their own beasts?—Just so, to that extent, and only to that extent.

1980. You would keep that principle in view; you would extend that as far as you possibly could without endangering trade, but if you found the regulations to really interfere with trade, the course of trade, you would not, I presume, think that the good you would do would be worth the evil you would inflict on trade?—That is my opinion.

1981. One question with regard to inoculation; I presume pleuro-pneumonia is in no way a variolous disease?—Certainly not.

1982. Is it a fact, in medical science, that inoculation is not known to be efficient as against any other than variolous diseases?—I scarcely understand the question.

1983. Supposing disease not to be variolous, do you think that inoculation can in any respect be a preventative against such disease?—I do not.

1984. Pleuro-pneumonia is not a disease of that nature?—It is not.

1985. *Chairman.*] What is characteristic of the disease which makes it prevented by inoculation?—The characteristics of a variolous disease would be an eruption upon the body of a peculiar kind, associated with a febrile state of the system, that fever being also of a specific nature, by which the disease could be communicated by infection from one animal to another, or from one individual to another. I take small-pox as an example. Small-pox is known to be a disease consisting of a peculiar eruption of the skin, and, while that eruption exists, it is associated with a character of fever, which is infectious. Variolous diseases can be communicated from one animal to another, not only by infection, but by the process which we call inoculation, and thus security given against a second attack.

1986. Lord *Naas.*] These symptoms being absent in pleuro-pneumonia, it is contrary to all experience and medical science that inoculation can be any preventitive?—Quite so.

1987. Supposing that the Legislature should determine that inspection of cattle at markets and fairs even of a limited kind were necessary, do you think it would be difficult to find parties to carry out an inspection of cattle at fairs and markets, even of the most limited kind?—In some parts of the country I consider that it would be difficult; I am of opinion that no individuals should be entrusted with a power of that kind, unless they were thoroughly well educated in the principles of science as veterinary surgeons.

1988. Do you believe that inefficient inspection would be worse than no inspection at all?—An inefficient inspection would be worse than none at all, certainly; and I further believe that even if you had in some of our large fairs and markets as many as three or four of the most eligible individuals as inspectors, in consequence of the large number of animals which are brought together, the way in which they are mingled, and the manner in which trade is generally conducted, that it would be perfectly impossible to examine these animals satisfactorily. There would be the greater necessity

necessity, and of course the opportunities would be the fewer.

1989. Such an inspection could only be conducted by a man of scientific knowledge, of intelligence, and also of high character?—Certainly, only by a man of that kind.

1990. I conclude the duties would be of such a kind that temptations of a very serious nature might be held out to parties?—Yes.

1991. Therefore, it would require to be conducted by a man of high character and position?—Yes, as well as of great knowledge.

1992. And, of course, the public could not command the services of such an individual without offering him a considerable salary by way of remuneration?—Certainly not.

1993. Do you think the present inspection of foreign cattle is on the whole thoroughly well conducted?—I think it is well conducted, in so far as the detection of disease is concerned; but I do not think it just to the importer of cattle that a whole cargo of animals should be detained simply because a few are found to be suffering from mouth and foot disease.

1994. You think the system is good, and that it is fairly carried out by the officials?—It is fairly carried out by the officials as to the examination of animals.

1995. You have no recommendation to make to the Committee by which the system can be improved?—None; only in its details.

1996. Do you think it would be possible to give an appeal from the decision of the inspector with regard to foreign cattle?—I think there would be no difficulty whatever in doing that.

1997. To what authority do you think the appeal might be made?—It must be the highest authority that could be selected in the country for such a purpose. If I might be permitted to say so, I think an appeal, for instance, might be made to the Royal Veterinary College in case of any dispute arising between the importers and the customs here in England.

1998. In case of the appeal being made to the Veterinary College, what course do you suggest they should take, because I apprehend the action must be very immediate?—Immediately on the application the Veterinary College should despatch one of its officers to examine the animals, and to report directly to the Government as to whether they were or were not properly detained, the nature of the disease they were labouring under, and all particulars of the case; and that should be done instanter.

1999. And the department of Government, whichever it might be, should have the power to say whether the animals were to be released or not?—Just so.

2000. You think that would be an improvement on the present system?—I think it would.

2001. Sir *William Miles.*] Taking other ports in England except Liverpool and London, do you think there would be any difficulty whatever in naming people who would be able to inspect?—I do not think if it were left to the Veterinary College of Edinburgh, and to the Veterinary College of London, that there would be any difficulty in their fixing upon individuals that would be prompt and good authorities in any port where such a thing might be required to be done.

2002. Lord *Naas.*] And communication of that kind could be made by telegraph?—Yes.

2003. Mr. *Caird.*] I understand that your idea with regard to the inspection of the markets at home, is that, on the whole, it would be better to leave that to the self-interest of the seller and the purchaser?—Just so.

2004. That is the principle you go upon?—Yes; I believe that no system of inspection will be of any, or of very little benefit at fairs and markets.

2005. Is it not possible that such an inspection, if conducted perhaps by a man not of the very greatest eminence and knowledge, might operate to remove that individual caution which is now exercised?—Just so.

2006. And in that way it might tend to the dissemination of the disease rather than the prevention of it?—Exactly so.

2007. Would you make a distinction between fat and store markets, if it were determined that some system of inspection should be carried out, that is to say, if inspection were determined upon that it should apply to store markets only, and not to fat markets?—If inspection were determined upon, it should be made to apply to store markets and not to fat markets as a rule; but I do not myself see how inspection can be made to apply to a store market.

2008. I apprehend you do not think it of so much importance as regards a fat market?—I think it is of but very little importance, so far as a fat market is concerned. It is well known that we frequently have a large number of animals, otherwise in the best condition, in the fat markets of this country, that become affected with foot and mouth disease while in the market. Those animals are killed probably on the next day, or within two or three days, and no mischief whatever can result. Speaking of the practice as existing in the fat market of the metropolis as a whole, all the animals brought in on a Monday or on a Thursday are dead in the course of two or three days, at any rate within the week they are all killed.

2009. I did not clearly understand your question about cattle which had come under your own observation, and which had been inoculated, whether those same individual animals had subsequently been affected with pleuro-pneumonia?—Those same individual animals, that is, some of them, have subsequently become affected with pleuro-pneumonia, and occasionally where pleuro-pneumonia has raged in a very severe form, as many as 10 per cent. of them have been affected with the disease; and we not unfrequently find that not more than 10 per cent. of animals will become affected with the disease, although no inoculation is had recourse to.

2010. So that, practically, you have not found any advantageous result from the practice of inoculation?—Certainly not.

2011. Mr. *Beecroft.*] I understand you to say that you would not give power to railway officials to refuse to convey cattle when affected by any disease; is that so?—I would not give power to such men as porters, and so on, to refuse to carry on any animals belonging to any person merely because that individual may suppose that they were the subjects of disease. If railway authorities are to refuse to carry cattle that are the subjects of disease, they should have a proper authority called to their assistance in any case where disease was suspected before they should act.

2012. In that case, would you require railway companies to take any precautions to prevent the

Professor J. B. Simonds.

7 June 1864.

spread of diseases arising from conveying cattle known to be diseased?—I think precautions should be taken with regard to the cleansing of trucks, and in everything of the kind cleanliness should be observed.

2013. You would not give them power to refuse to take diseased cattle, but you would insist on their taking proper precautions to prevent disease arising?—That will depend entirely on the nature of the disease. I would not interfere with the conveyance of cattle affected with foot and mouth disease by railway. If any animals were tendered (which I think a very unlikely thing indeed) for the railways to carry which were the subjects of lung disease, I think the railway people should refuse to carry on those animals. If any number of sheep affected with small-pox were presented at a railway station to be carried on (which I also think very unlikely), the railway should refuse to carry those animals; therefore they ought to have the power of refusing to carry all animals labouring under particular diseases, but, speaking in general terms, there are some diseases which they ought to have no power whatever to refuse to carry. I would allow them to carry on animals affected with foot and mouth disease.

2014. How frequently should the trucks be cleansed?—I think, as a general principle, the trucks should be cleansed perhaps twice a week, or something like that. Much would depend on the knowledge of the fact as to whether diseased animals had or had not been carried. I do not think myself that so much mischief arises from dirty trucks as many people imagine; I hold that opinion from experience in these diseases. We had but very few railways in England at the time the foot and mouth disease appeared, viz., in 1839; the railway system was not then brought into operation as a whole, and consequently the animals which came, say from the eastern counties, as the principal feeding counties, into the then Smithfield Market, had to travel by road, and as is well known, they used to come in with foot and mouth disease in quite as severe, if not a more severe form than at present. It arose entirely from the ordinary causes, of distress brought upon those animals in their travelling from one part of the country to another; but now, as soon as we find that we have the foot and mouth disease in any fair or market, the hue and cry is that the railway trucks have done it. If I look for morbific matter as it comes from every animal, where am I to find it? Why, in its breath chiefly. It is just possible that there may be some morbific matter brought off by the fæces, and some also by the urine. The feculent matter hangs about the truck, but it is well known to all men of science that if you want to destroy very quickly indeed the germs of morbific matter, mingle that morbific matter with moisture, and you do it. For instance, it is quite possible for a disease of an infectious nature to be more infectious under certain conditional circumstances of the air, than under certain other conditional circumstances. If you have a more than ordinary humid condition of the air, morbific matter is quickly broken up. If, on the contrary, you have an elevated temperature, a very dry state of the atmosphere, the morbific matter will be preserved longer. Therefore if small-pox in sheep breaks out in the summer time, it is more destructive, and it is more likely to assume an epizootic character than if it breaks out in the winter. Reasoning, therefore, upon general principles, I do not think that any morbific matter which comes from an animal in the shape of feculent matter is productive of much mischief to animals coming in contact with it. I cannot at all understand that the breath of an animal which is diffused into the atmosphere can at all infect a railway truck in which that animal may be placed at that particular time. I am a great advocate for getting at secondary causes with a view to their removal, and a great advocate consequently for cleanliness, but, at the same time, I am decidedly of opinion that there is a greater call out about the damage that is done by railway trucks than we are warranted in concluding there should be by practice, or even by science.

2015. Mr. *Thompson.*] You have gone into some considerable detail as to the regulations in force on the Continent, for preventing the spread of rinder-pest, and you have stated that those regulations are successful. Are there not regulations also for preventing the spread of pleuro-pneumonia?—There are regulations for the prevention of the spread of pleuro-pneumonia in some countries equally as stringent as those that are in operation for the purpose of the prevention of rinder-pest; but in consequence of pleuro-pneumonia not being a contagious disease exclusively and entirely, we find it existing in those countries where rinder-pest does not. You can exterminate rinder-pest, but you cannot exterminate pleuro-pneumonia.

2016. They do maintain those regulations as against pleuro-pneumonia?—They do.

2017. Are there any regulations of the same kind against the foot and mouth disease?—There are regulations of the same kind in some countries with regard to the foot and mouth disease.

2018. Then you would infer that the foot and mouth disease was one which might be prevented to a considerable extent by regulations?—I infer that.

2019. Have you any experience of your own to show that they are effectual for the purpose?—No; my experience goes quite to the contrary; that they are not effectual for the purpose.

2020. You have stated that you do not consider it necessary to include in the Bill, if applied to Scotland and Ireland, anything more than pleuro-pneumonia, but in the case of sheep-pox for instance, that it is unnecessary, because that is not a complaint which is prevalent in Scotland or Ireland?—Just so.

2021. With reference to rinder-pest also, that is not a complaint which exists in Scotland or Ireland, therefore it is not necessary to include it in the provisions of this Bill?—It is not necessary for that reason.

2022. Supposing that were so, and the Bill were passed excluding those complaints, so far as it applies to Scotland and Ireland, but applying the clauses to England, would it not be easy, and would it not probably be the practice to avoid the inspection in England; that they would be consigned to the ports in Ireland and reconsigned here?—I can hardly imagine that any foreign cattle, unless coming from Spain, would make an Irish port. Cattle suffer more or less from being put on board ship, and the importers want to get the voyage over as quickly as possible; therefore they make the nearest port. I do not think we should ever find that animals would be sent to another port at a distance if there were simply proper regulations with regard to inspection at whatever port they may be at.

2023. Might

Professor *J. B. Simonds.*

7 June 1864.

2023. Might not the sheep-pox be very prevalent in Ireland a few years hence though not now?—If sheep-pox were prevalent in Ireland at anytime, I think that in all probability we should be enabled to trace the introduction of the disease from England to Ireland. I do not think it at all likely that any sheep from any port on the Continent would go direct to Ireland and carry with them the disease.

2024. That is not quite my meaning. If it prevailed in Ireland or Scotland it would be desirable of course to apply the same provisions to those places where it existed as you would to counties in England to prevent their being moved from one part of England to another?—I would apply the provisions of the Bill and also the power of the Queen in Council to arrest the progress of small-pox in sheep either in England, Ireland, or Scotland.

2025. But you would exclude it from this Bill?—I would not exclude sheep-pox from this Bill, but I would the mouth and foot disease of cattle.

2026. Sir *William Miles.*] In case there should be any exudation of matter from the hoofs, or any saliva from the tongue, in the foot and mouth disease in a railway truck, would there not be then almost a certainty, if it was not properly cleaned, that the next load of cattle would be likewise infected?—If saliva from animals affected with the foot and mouth disease was largely distributed over the sides and so on of a railway truck, there would be danger in putting other animals into it in the course of a few hours afterwards; but speaking entirely on a scientific basis, I do not think that even the morbific matter coming from an animal labouring under the foot and mouth disease, hanging upon a railway truck, would do any mischief to another animal three or four days afterwards.

2027. It would immediately afterwards?—Immediately afterwards, it is likely to do so, and, therefore, there is a necessity for the cleansing of the trucks.

2028. Do you not think, therefore, consequently, it would be a very good thing if, after taking cattle a long distance from the country to London, the trucks were washed?—Yes; and, I believe, that the simple washing of them is as good as the use of any disaffecting fluid.

2029. If you added a little chloride of lime to that, would it not be still more effectual?—Yes, there is no objection to that.

JOHN HALL MAXWELL, Esq., C.B., called in; and Examined.

J. H. Maxwell, Esq., C.B.

2030. *Chairman.*] YOU have requested to appear and give evidence before this Committee, as representing the Highland Agricultural Society of Scotland, I believe?—Yes.

2031. The two Bills which have been referred to us, the Cattle Diseases Prevention Bill and the Cattle Importation Bill, have, I believe, been considered by that body?—Yes; both at a general meeting, called by public advertisement, by committee meetings repeatedly, and by meetings of the Board of Directors.

2032. They desire to express certain objections which they entertain to these measures?—They do. I am also, from correspondence, qualified to speak as to what the general feeling in Scotland is, irrespective of the Highland Society.

2033. By communications with whom?—With the conveners of our Scotch counties. Their meetings are on the 30th of April, and on that occasion almost every county in Scotland either pronounced for or petitioned against these Bills in their present shape; and, also, by communication with the secretaries of our principal local agricultural societies, who have taken a similar view.

2034. Will you express to the Committee generally, the opinion entertained by the Highland Society, in the first place, as to the Cattle Diseases Prevention Bill?—Their objections are, I may say, first, that in the existing state and condition of cattle disease in Scotland, there is no positive call whatever for extra legislation; secondly, that the provisions of the Bill are perfectly inoperative on a point where we think there might be some legislation, viz., to prevent a certain amount of unwholesome meat that does find its ways into the market; thirdly, we object to certain clauses in the Bill, such as the powers that are given to constables, servants, rival dealers, and railway officials; fourthly, we object to the whole system of proposed inspection of fairs and markets; and fifthly, to the insertion of the foot and mouth disease into the Schedule of this Bill. I shall be very happy, if you think it necessary, to take each of these seriatim.

2035. With respect to legislation, why do you consider that there is no necessity for legislation at all?—We cannot forget that this matter was before a Select Committee of the House of Commons in 1857, and we know that the decision then was that any further legislation was incompatible with the legitimate operations of the cattle trade; we say now, that that applies with double force, first, because the measure under consideration is more stringent and more obstructive than the measure which was before the Committee in 1857; and, secondly, because there was more call then than now for legislation, there being less disease in the country; I speak for Scotland.

2036. Are you aware that last year a Bill was introduced into the House of Commons by Sir William Miles and Mr. Holland?—I was aware of it at the time, but I have quite forgotten all details connected with it.

2037. And that the question was forced upon the Government by the introduction of a Bill by private Members?—I do not reflect on the Government for bringing in the Bill; we do not altogether object to this Bill; it contains some good clauses; we approve of the Railway Cleansing Clause, and the Highland Society is quite willing to see it made penal to expose knowingly and wilfully, in the public markets, animals affected with pleuro-pneumonia, in fact, to remedy the blunder which was committed in the Act of 1848, and in the different Bills by which it was continued—a blunder which excluded pleuro-pneumonia from the existing law, but which, I believe, was not intended; the Act of 1846 declares that in the case of any ox, cow, bull, or other horned cattle, which shall be sent to market with any disease mentioned, there shall be a penalty of 20*l.*, and yet the diseases, as mentioned in the Act, are small-pox and glanders, which ox, cow, or bull, could not have. I think that ought to be corrected, and that this Bill might fairly be made applicable to pleuro-pneumonia, to the ex-

J. H. Maxwell, Esq., C.B.

6 June 1864.

tent of making the wilful exposure of an animal affected with pleuro-pneumonia penal.

2038. The Highland Agricultural Society would not object to that part of the Bill which subjects the wilful exposure by a person of other people's cattle to contract the disease of pleuro-pneumonia by communication with that person's own cattle, to a penalty. That we do not object to. We may think that some of the preliminary provisions are a little too strict about driving along roads, placing in unfenced fields, &c.; but, generally speaking, we think that the penalty is very fairly incurred if a man knowingly brings into the public market and alongside the cattle of other people any animal which he knows to be suffering from pleuro-pneumonia.

2039. Do you consider that any provisions of the same kind are applicable to the foot and mouth disease?—Certainly not.

2040. You would entirely exclude foot and mouth disease from the Bill?—Yes; because, without entering into any question as to whether it might be desirable, if practicable, to include it, I believe it perfectly impracticable to give any effect to any legislative enactment, including foot and mouth disease in the preventive measures.

2041. You are speaking now on behalf of parties who are in the habit of buying store cattle at fairs and markets?—Who buy and sell. I speak generally, as representing the agricultural interest.

2042. Their interest would be, as far as possible, to approve of any restrictions which would prevent, as far as possible, their buying diseased cattle?—Certainly; any practicable restrictions not inconsistent with the legitimate operations of the cattle trade.

2043. You consider foot and mouth disease is so common that it would be impossible to put any restriction upon the sale of cattle suffering from that disease?—Utterly.

2044. Is it a serious disease?—It is very rarely fatal. It is not supposed to be detrimental to the flesh of the animal for human food. It lowers the price of the animal for the time, and if it is a milking cow, it stops the milk of the animal for the time.

2045. With regard to Part 2 of the Bill, the Orders in Council, have you turned your attention to that part of the Bill at all?—Yes.

2046. Have you any observations to make upon that. Would you confine the provisions, or rather confine the powers of the Order in Council, to small-pox and steppe-murrain?—No. I had the benefit of hearing Mr. Simonds' evidence. I take rather a different view from Mr. Simonds. I have faith in the Privy Council; and I think the great object of a clause like this is to give them powers to act on emergencies. I do not think they would act without due cause; and I am rather unwilling to take anything out of this clause. I am more in favour of giving exceptional powers to the Privy Council to act on emergencies than to legislate by Act of Parliament in a despotic and arbitrary way for one thing under every circumstance. Disease varies in time, place, and intensity, is always changing in its features, and therefore not well suited for fixed and universally applicable enactments.

2047. You mean that attention on the part of the Privy Council must be founded on some grievous outbreak?—I expect so. I expect the Privy Council will not enact a new order unless there is good cause for it. If the Privy Council Order is found to work ill, or if the cause that made it necessary ceases, they can alter their order at any time, or they can recall their order. But if, in regard to pleuro-pneumonia, or any other disease, you put a distinct provision in any Act connected with the cattle trade, you cannot recall that, and you cannot alter it. It may work ill, or the cause may disappear, but there it stands, and it may hamper trade in a grievous way.

2048. The duration of the Order of the Privy Council must depend practically on whether it is or not in accordance with public opinion?—Yes, and in accordance with the exigencies of the case. There are certain things here which we objected to when we had an opportunity of meeting at the Home Office, but I was told that they had been taken out; the doing of any other thing which Her Majesty might deem advisable, and the destruction and burial of any diseased cattle. There are points which we thought went rather too far, and were a little too wide. They are mere matters of detail.

2049. You are aware that in the main they are re-enactments of the present law on the subject?—They are to the greater extent.

2050. With respect to the carriage of cattle, do you see any objection with regard to the clause as to the cleansing of trucks, and so on?—Certainly not. I think we suggested formerly about watering cattle, if it should be required, because, under section 13, railway companies are bound, under a penalty in every period of 12 hours, to give the cattle water to drink. They may be within an hour or a couple of hours of their journey's end, and the owner of the cattle would rather that they were not detained. The suggestion made to the Home Office was, that they should be called on within that period to give the water when required.

2051. As to clause 14?—In clause 14, we object in the most emphatic manner to the powers that are proposed to be conferred on railway officers and servants, as persons totally unfit to exercise such powers, unfit to judge in such cases, and persons who might take advantage of those powers for ends and purposes certainly not contemplated by this Bill.

2052. Would you object to a provision which has been proposed in lieu of clause 14; that the railway company may recover from the owner or person in charge of diseased cattle the expenses that they may have been put to in disinfecting trucks, &c.?—That is at present here, section 14, line 5.

2053. Would you object to that?—Certainly not. I think is is quite fair.

2054. Would you object to subjecting any person bringing diseased cattle to the premises of a carrier, knowing the existence of the disease, to a penalty?—We went a little further, perhaps, than that. We took the liberty of suggesting to the Home Office that the public vehicle, be it boat or truck, ought to be put in the same category as the public market, and if you are fined 20 *l.* for knowingly exposing in a public market, and in company with stock belonging to others, an animal with pleuro-pneumonia, that the same penalty and section ought to apply to a similar exposure and risk in a steamboat or railway carriage.

2055. With regard to the fourth part, as to the inspection of cattle in markets, do you agree with

with that portion of the Bill?—No; we object to it *in toto*.

2056. Will you be kind enough to explain to the Committee your reasons?—Our reason is principally this: the thing is impracticable; that is to say, it involves this vice: it might be practicable in very many cases, where really it is of no great importance; but the greater and the more important the case becomes, the less operative and more impracticable the proposal becomes. I take, for instance, the Falkirk Tryst, in Scotland. I suppose in Scotland certainly there are no occasions where so many animals are congregated together, and congregated from so many different districts; and there is no place from which so many animals are dispersed all over the kingdom as the Falkirk Tryst. If you take the case of the Falkirk Tryst, all the veterinarians of Scotland could not inspect it. The thing is ludicrous. Therefore, we consider that legislation which is only operative in the small and trifling cases, and becomes less operative until it becomes totally inoperative, the more important the case is, is a vicious legislation. I am not speaking my own opinion only, but I am repeating the opinions of others, when I say that the attempt would end in an entire failure. It would break down with its own weight; but, at the same time, the mere fact of making the attempt would obstruct trade in a most inconvenient manner.

2057. You are aware that the clauses of the Bill with respect to inspection are entirely voluntary; that is to say, it merely gives power to certain local authorities, if they please, to adopt the scheme of inspection?—Certainly; but, with great deference, I would object to giving a power which I have already described, as based on a fallacious and vicious principle, to any individual to act on voluntarily. I think, if it is as I have described, it should not be left to the discretion of individuals.

2058. You think the act, for example, of the majority of any local Board or authority might be oppressive to the minority, and to the public?—It may be; but under no circumstances in the larger cases could the thing be made workable. I have also been present at Ballinasloe fair, and though I do not know anything about Ireland, as compared to Scotland, still I saw enough of that fair to satisfy myself that, whether as regards sheep or cattle, the thing was as impracticable to be worked out there as it could be at Falkirk Tryst.

2059. Who is the authority at Falkirk Tryst?—I do not know that there is any authority, except those who draw the rates for the ground.

2060. Are there no regulations as to how they are to be distributed?—I cannot answer that question well. I have often been there, but not as a buyer or a seller. There is an understanding, and I have no doubt there are regulations, perhaps enforced by the police, as to where the cattle are to stand, as to where the horses are to stand, and as to where the sheep are to stand; but I do not speak from my own knowledge of that at all.

2061. Do you think that the fact of there being an inspection, although, as you remark, it would be impossible that every beast at a fair of that sort should be inspected, would deter persons from sending diseased cattle to that market?—I do not think that animals suffering under pleuro-pneumonia are likely to be sent very much to that market; and if this Bill passes, with a penalty on the improper exposure of an animal affected with pleuro-pneumonia, you have that check which you have not now. I may, at present, send to the Falkirk Tryst any number of animals in the last stage of pleuro-pneumonia, but owing to the bungle in the existing law I cannot be touched. If this bill becomes law, and there is a penalty of 20 *l.* for sending animals in such a condition to that place, that will act as a deterrent, which does not exist either in Great Britain or Ireland at present.

2062. You think that that provision in the Bill is a valuable provision?—Certainly.

2063. And that it would render it unnecessary to have the inspection which is proposed in the Bill?—I consider that it is a provision which will, to a certain extent, more or less, have its effect as a deterrent. The inspection, I have already endeavoured to explain, I consider to be impracticable.

2064. The authority of any market should act on that clause, and prosecute the offender?—Yes; or the man whose cattle are in the next stand to him, and who sees his cattle run the risk of being affected, and perhaps whose sale he is injuring.

2065. You would leave that clause to be carried into effect, that is to say, the party to be prosecuted by anyone who chose to prosecute him?—Yes, certainly.

2066. Having gone through the Cattle Diseases Prevention Bill, I will ask you about the Cattle Importation Bill. Do the Highland Agricultural Society of Scotland approve of the Cattle Importation Bill?—They do not in one respect. The Cattle Importation Bill is a re-enactment of the existing law, with the addition of certain words, namely, those words that bring under the operation of the Bill the sea-borne cattle trade between one British port and another. That the Highland Society objects to. They think it establishes an undue, unfair, and unwholesome difference between the two parts of the home trade, namely, the land-borne portion of it, and the sea-borne portion of it. They know that no such system of inspection can be applied to the land-borne part, by railway, but that it may be applied to the sea-borne part, and the first objection they have is, that if you expose water-borne cattle, say, from Aberdeen, to a rigid system of inspection or to an ordeal, from which those coming by railway are free, you immediately establish such an advantage in favour of the railway, as practically to give them a monopoly, and to deprive the farmer at Aberdeen of that competition in carriage which at present he enjoys.

2067. You have sent some memorandum, I believe, to the Home Office, respecting the Importation Bill?—Yes.

2068. Can you state the purport of it to the Committee?—Another objection is, that with respect to the inspection at the port of arrival, you ought not to put the home trade on the same footing as the foreign trade, because you can take initiatory steps at the port of departure at home, which you cannot take at the port of departure abroad. You are necessarily obliged to defer the preventive machinery as regards the foreign trade till arrival, but, in the home, you can employ it before departure, and, in point of fact, if this Bill becomes law, you do so because you impose a penalty on the man who brings for shipment an animal labouring under pleuro-pneumonia. You have taken your first step at the port of departure, and it ought not,

J. H. Maxwell, Esq., C.B.

7 June 1864.

not, therefore, to be followed up by another severe ordeal at the port of arrival. Moreover, at the port of arrival, you would have another safeguard that you have not now. If the animal is labouring under pleuro-pneumonia distinctly when it arrives, it cannot be taken to the market under 20*l.* penalty. You have first of all the penalty for shipment at the port of departure, and then the penalty for exposure in market after arrival.

2069. You would have also clauses which enable the Privy Council to place certain districts under quarantine, supposing any serious outbreak of infected disorder should be found to exist?—I have no objection to do so, and, indeed, am one of those who go a little farther than the Bill, because the Bill must be restricted by a schedule of disease, and if it could be, I would give the Privy Council power, in the event of any unknown disease or extraordinary malady breaking out, to take extraordinary and exceptional measures to meet an extraordinary and exceptional case. I am not afraid of the Privy Council.

2070. Therefore, you think that the distinction you advocate between cattle brought by sea from Scotland, or Ireland, or the North of England to London, and cattle brought from abroad to London is quite defensible on prineiple?—I think so, and I object, therefore, to the proposed alteration of the existing law to that effect.

2071. With respect to the cattle imported from abroad, do you consider that it is right to stop cattle having the foot and mouth disease?—As it is impossible you should know anything of them before they leave home, perhaps it is as well you should look after them when they come here, but, I think, there ought to be a schedule of diseases, both to point out to the Customs officers what is the length and breadth of the Commission, and for the information of the traders.

2072. If you think for the Disease Prevention Bill there is too great an interference with the trade in cattle in this country to place restrictions on the sale of cattle with the foot and mouth disease, do you consider that the same course should be taken with regard to the cattle imported from abroad, and that there should be free importation of cattle suffering from the foot and mouth disease?—I would draw this distinction: if these cattle were for a fat market I would let them go at once, I would not detain one of them.

2073. You would prevent store beasts coming in?—That might be a question, whether, if you saw store animals affected with foot and mouth diseases going into a store market, you would not put them into quarantine; but I would not send them back to Holland or Germany, nor would I throw them into sea, as was done at Leith the other day.

2074. On what principle would you justify a different course with respect to the Englishman, and with respect to the foreigner, because you would admit any quantity of store beasts with the foot and mouth disease to be brought to market in England?—If you put the Englishman on the same footing as the foreigner, you necessarily put him on a different footing from his fellow Englishman. You cannot subject the trucked cattle to inspection at this station, or that station, as you can the shipped cattle; if it is a question between putting two Englishmen in different categories, or an Englishman and a foreigner in different categories, I prefer the latter, more especially, as by adopting it the monopoly I have alluded to is avoided.

2075. There would still remain this difference, that, whereas, you would put no restriction on sending cattle from Scotland with foot and mouth disease in a boat to London, and landing them in London and taking them to Copenhagen Fields, you would prevent the foreigners doing that?—I believe there is a practical restriction in this way, that the Aberdeen Steam Packet Company would not allow them into the boat with disease. They are their own insurers, and they have a very strict system of inspection for their own sakes, before anything is admitted into the boat. That I can vouch for.

2076. That would be a private arrangement of the company?—It is an arrangement of a commercial company for its own interests.

2077. Still, as far as legislation goes, there would be a broad distinction?—A broad distinction every way you take it.

2078. And in favour of the home trade as against the foreign trade?—Yes, on the one side, and in favour of the railway trade as against the ship trade on the other. You must have a distinction on the one side or the other.

2079. With regard to the manner in which the Cattle Importation Acts have been carried into effect by the Custom House officers, have you any evidence to give to the Committee on that point?—Yes, I may give them this instance; on the 18th February last, there were six bullocks from Hamburg pronounced by the Government inspector, Professor Dick, of Edinburgh, the head of the Veterinary College at Edinburgh, to be suffering from foot and mouth disease, and he proposed that they should be put into a separate place, into a yard, and quarantined for a week, when they would be perfectly well. The Custom House officers, in defiance of the view of the Government inspector put them on board a tug steamer, knocked them on the head, and tumbled them overboard into the middle of the Firth of Forth. Next morning they were all washed up on the Kirkaldy sands, dismembered by the people, and eaten. A butcher who saw them, pronounced the flesh to be in a good state; the Custom House officers again acted, recovered the skins, and sold them on behalf of the Crown.

2080. *Lord Naas.*] What was the disease?—The foot and mouth disease.

2081. *Chairman.*] Is it their custom to stop the whole of a cargo of cattle, supposing a few have the foot and mouth disease?—No. I may mention that at Leith they have only been under inspection for a year. During that time 2,232 head of cattle have been imported, and 13,680 head of sheep. These animals have all been in a condition fit for the butcher; there has been no call, with regard to pleuro-pneumonia, to put anything back, because there has been no pleuro-pneumonia. In regard to the foot and mouth disease, I find that on seven several occasions there have been 18 animals in the whole affected with the foot and mouth disease. I have accounted for six of them as having been eaten. The rest were put into quarantine, but on no occasion did Professor Dick send back or interfere with the rest of the cargo. He simply dealt with the animals which were affected.

2082. Do I understand that Professor Dick is the inspector of cattle?—He is the Government inspector.

2083. And the Custom House officers act upon his

his authority? — Apparently not, when they, against his opinion and advice, act as I have described.

2084. They act according to his authority as to whether the animal is diseased?—Yes; he has the authority.

2085. But having decided that they take their own course as to the disposal of it?—Yes. Certainly, in this case, because my informant was Professor Dick himself.

2086. I believe you have seen the fifth report of the medical officer of the Privy Council?—I have.

2087. Have you seen the report in the Appendix respecting cattle diseases in relation to the supply of milk by Mr. Gamgee?—I have.

2088. Have you seen the statistics respecting the losses from pleuro-pneumonia?—Yes. I have very carefully analysed them.

2089. Do you concur in the result arrived at from those statistics?—I do not. I think them fallacious and erroneous.

2090. Perhaps you will explain to the Committee the reasons which have induced you to come to that conclusion?—I do not place confidence in those statistics. I understand at present you ask me with respect to the general rate of mortality in cattle, including the rate of mortality from pleuro-pneumonia.

2091. Precisely?—I consider that the calculations and conclusions in that report are based on unsound data in the first place. I may state my reasons for thinking so. The reporter assumes, as his data, the returns, I think, of one large cattle insurance office over a certain number of years, and he takes the rate of mortality as shown by this return as indicative of the rate of mortality for the country. I have two objections to that; first, that before you can assume as a standard the returns of a cattle insurance company, you must satisfy yourself that the insurance company was managed with prudence and circumspection, and nothing like recklessness. I am not imputing recklessness to any company just now; but what I say is this, if a company fail or stop, as this company in question did, I believe you must have some little information as to the way in which the business was conducted before we accept its results as an average standard. My second objection is, that assuming the greatest prudence of management, the average results of a company cannot be taken as the average of the country. We are told, and told truly, that pleuro-pneumonia was the great impulse to insurances. That pleuro-pneumonia has desolated some districts, and did not appear at all in others. Therefore, the five per cent. shown by that company, and taken by the reporter as his data, might possibly, if the company had been prudently conducted, be a fair average rate of mortality, as representing the affected districts, but not certainly as affecting the country at large, including these districts where the particular plague that impelled insurance to such an extent had never appeared. But I have another and a more practical challenge as to the accuracy of the statistics and as to the rate of mortality brought out. Although, for the two reasons I have given, I do not look upon the returns of an insurance company as the best standard or test, still so as to give every such returns advantage to the other view, I have taken them in different parts of Scotland that have been represented to have suffered most from pleuro-pneumonia, the dairy districts of Renfrewshire and Ayrshire. I have got here a return of five insurance companies, one of them for a period of 13 years, Renfrewshire, my own county, where we, the landed proprietors, came forward and told the tenantry (and I may mention this to show that under proper regulation there is nothing to break any insurance company), "if the Company fails to meet its obligations we will come between them and the risk." It was established in 1851, and we have never been called upon under our guarantee, and there is a considerable sum of money in the bank. During that period it has insured 13,000 animals, almost all dairy cows. The per-centage of death for the last 14 years has been three per cent. from all causes, and the per-centage of death from pleuro-pneumonia has been seven-tenths of one per cent. This was in a very bad district as regards pleuro-pneumonia. Then again we have one in Ayrshire during the five years up to the 1st May 1864, where there were 3,405 cattle; the per-centage of death again being exactly three per cent., and the per-centage of pleuro-pneumonia as nearly as possible one per cent. "Then we have 12,997 cows in the Dunlop district; I have heard it stated that insurance companies all over the county showed a fair average, because whenever pleuro-pneumonia came on repeatedly they would not take it. On the contrary, this insurance company takes nothing but pleuro-pneumonia. This company has had 12,997 insured against pleuro-pneumonia alone, and the total number of deaths were 105, which gives a per-centage of four-fifths of one per cent. for the last five years. Then, again, I have one with 3,688 cattle. That is only for two years, and I believe it is only against pleuro-pneumonia too. The average of death there is three-tenths of one per cent. There is another with 5,263. I have not got the per-centage of deaths from all causes, but I have it from pleuro-pneumonia, which is seven-tenths of one per cent. I have another, but I have no numbers for it, excepting the statement that there were no deaths from pleuro-pneumonia for nearly twelve months. By this table applying the test of the reporter (which is not one that I admit to be a good average, as I have already explained), namely, the deaths shown by insurance companies, and keeping in view that these insurance companies are in the very districts the reporter singles out as most grievously smitten with pleuro-pneumonia, I bring out a very different rate generally, and a still different and still lower rate, if you take pleuro-pneumonia, with regard to it I may mention that one of these insurance companies in Ayrshire states that it has had no case of pleuro-pneumonia returned or claimed for three years; another, none for two years. Three others have had no instance of pleuro-pneumonia during 1863 and 1864, and the sixth has had one instance since November 1863. Besides in Renfrewshire and Ayrshire pleuro-pneumonia is in a very different state now from what it was at one time. I have a letter here from a Mr. Graham, a neighbour of mine, who is the largest dairyman in Renfrewshire. He keeps 130 milk cows, partly bred, partly bought. He suffered at one time as severely as we all did, but he has not had a case for six years. Then, as to Mr. Gairdner, whose table with reference to the prevalence of pleuro-pneumonia in 1852,

J. H. Maxwell, Esq, C.B.

7 June 1864.

J. H. Maxwell, Esq., C.B.

7 June 1864.

1853, and 1854, has been referred to in evidence, in which he showed that over a certain district 958 animals died from pleuro-pneumonia alone out of 31,000, that is perfectly correct; but then I did not see in the newspapers any statement as to Mr. Gairdner's views for the present period instead of for 1852, 1853, and 1854. I have his reports here. He tells me that within the last week he has been collecting rents from above 250 tenants in Ayrshire. He had admirable opportunities for examining them with reference to the existence of pleuro-pneumonia, and in the very district where these many cases did occur, he has only been able to identify two cases, in one of which there were seven cows died, and in the other one. I may further state, that I applied for reports from every county in Scotland. My official position enables me to know who are the best people to apply to. I did not include the counties immediately round Edinburgh, the Lothians, because, as that is the seat of our government, we know quite well what were the facts there, but I applied to 27 other counties. Sixteen counties were reported to me as being perfectly free from the disease; some of them never know it; and in all the other cases the reporters represent that it is wearing out and is comparatively rare, and is assuming a milder type, that is less frequent and less virulent in its attack. I may further add to that, that all the statements of butchers, cattle-salesmen, and others that I have examined corroborate this statement. Therefore, in reference to the mean rate of mortality, whether from all causes, or from pleuro-pneumonia alone, I repeat that I do not place confidence in the statistics which have been given to the Privy Council by the reporter.

2092. You think that those statistics refer to a period during which the disease of pleuro-pneumonia was very much more prevalent and fatal than it is now?—To a certain extent. These statistics, I think, come down to 1861; it was more prevalent then; but I have no hesitation in saying, from the tables which I have before me of these very years in the companies I have quoted, that even for that period the results are greatly exaggerated; I do not accuse the reporter of exaggerating the figures taken from the books of the insurance companies. I deny that those figures, however faithfully taken out by him, ought to have been assumed as data for arriving at an average.

2093. You mean that his inference is not fair?—His inference is not fair; as I said before, his data are erroneous.

2094. Mr. *Caird.*] His figures do not apply to the whole county?—His figures apply to an insurance company, as to the management of which we know nothing excepting that it ceased to exist, and whose figures are, as I have shown, vastly in excess of those figures that I have taken from similar bodies in other parts of the country.

2095. *Chairman.*] Have you any other observation to make with regard to the insurance statistics?—Not in regard to the insurance statistics. I may mention this, to show that if you go back very far, you at once get into a state of matters that is no index at all of the present state. I find, in Glasgow, Mr. M'Cowan from 1846 to 1852 insured 1,057 animals; 90 died, and 60 of those died of pleuro-pneumonia. At that time pleuro-pneumonia was very bad; but to bring forward statements of what occurred then to regulate legislation for the present state of things is quite fallible. I have nothing more to say with reference to the insurance statistics.

2096. With reference to the table which is given in that report, showing the proportion of diseased cows sold in the dairies of Edinburgh, I believe you were desirous to give the Committee some information on that subject?—I read that table with some surprise; but when I saw the very distinct manner in which the Privy Council were assured that they might accept everything in it as correct, I did not at first think it necessary to go into it. Accidentally, conversation with one or two dairymen led me to make a more minute investigation, and, to make a long story short, I may say this: the details in that table could only have been obtained with accuracy from the individuals themselves. The reporter could certainly have got the number of cows in each dairy from the police-books; but as to the statistics of disease, he could only have got them from the individuals, though my firm belief is, that the individuals could not have given them, and could not give them to him now; at all events, there are in the Edinburgh "Directory" 89 dairymen. There are more than that in the trade; I believe that there are 100. The trade met, and they signed a paper, which I have here. If you desire it, I will read it; 99 firms signed the paper, declaring that they never had been applied to for information such as is contained in this table; that they never gave any such information; and that the table is untruthful. This is the document, with the signatures attached to it. It is as follows: "Edinburgh. We, the undersigned dairymen or cowfeeders in Edinburgh, hereby certify that Mr. John Gamgee, veterinary surgeon, did not apply to us for, nor obtain from us, any return showing the number of cows kept by us, the number sold diseased to the butcher, and the number sold diseased for pigs, during the year commencing 1st July 1861 and ending 1st July 1862. It is our firm opinion that the statistical table furnished by Mr. Gamgee, and published in page 214 of Appendix to Report of Medical Officer of the Privy Council, is altogether incorrect, and consequently untrue, Mr. Gamgee never having had any information from us on the subject; and, as he could not furnish a correct table, except through us individually, and from no other source, the report made by Mr. Gamgee, we repeat, is therefore false, and without foundation."

2097. How many is that signed by?—I think the one is signed by 95, the second by three. I am informed that the only person who has not signed it is one man, and a woman who has very few cows; I should state that, when I first heard of this paper, I told them it was fair to Mr. Gamgee to draw a counterpart of it, and to get the signature of dairymen, vouching that they had given him information; I strongly advised them to do that, and I impressed on them, for their own sakes, the propriety of making as diligent a search to get signatures to the one paper as to the other. I have not the other paper here, because it was brought back blank. One man refused to sign either, but nobody would sign the other paper.

2098. Mr. *Caird.*] Is it not possible that the reporter

reporter might have obtained his facts with the assistance of the cow-dealers?—It appeared in the newspapers that it was stated here that the facts had been obtained through friendly dairymen, who were formerly in the trade, and that they gave statements referable to their own dairies and those of their neighbours, and then that those statements have been carefully checked by the cow-dealers in Edinburgh, who furnish the dairymen with cows. I should like to make this explanation as due to myself, that, before the reporter was examined before this Committee, I thought it fair to him to make Mr. Gamgee aware of the paper which I have just read, so as not to take him by surprise; I informed him that the dairymen repudiated having given him information, and that I had evidence to that effect to lay before this Committee; I made him aware of that before he appeared here.

2099. *Chairman.*] With respect to what you read from the newspapers; you are not aware of whether he actually stated that or not?—I have heard it read by Mr. Caird; if you go on you will find it; the statement in the paper was that the cow-dealers of Edinburgh met him in his study, and that he showed them his calculations, and that they assured him that in all cases they were under the mark.

2100. Mr. Gamgee in his evidence, given before this Committee in answer to the Question (81) put by the Chairman, "How did you obtain these statistics," said: "I obtained those statistics myself from many, and referred to the books of not a few. I then, fortunately, had some friendly dairymen who obtained from their friends the remainder. I at the time communicated to the Privy Council Office with regard to these important facts, and stated that before the publication I should adopt a further means of correcting my evidence. I got several of the cow-dealers in my own study, who I knew supplied a considerable number of those persons; and I said, 'Now, here is Mr. So-and-so who keeps stock; is that right?' 'Yes, he has lost so many during the last year. I can safely say that in nine cases out of ten he has lost more; he really has lost more, there is no doubt about that'"?—That is what I allude to, the friendly dairyman and the cow-keepers. The statement that has been read having been seen in the newspapers the dairymen applied to the cow-dealers, and I hold in my hand a document, signed by 20 cow-dealers, who represent the whole trade who attend the Edinburgh market, though some of them come from long distances. It is this: "We, the undersigned cow-dealers in Edinburgh, hereby declare that Professor Gamgee did not receive from us any information for the purpose of preparing a report on disease in the Edinburgh dairies for the year 1861–62, or for any other period. And that even had we been applied to by him, and had we been willing to have answered questions affecting the private concerns of our customers, it would have been entirely out of our power, and beyond our means of knowledge, to have furnished him with such details as those contained in his report."

2101. Lord *Naas.*] Are there any cow-dealers of any importance in Edinburgh who have not signed that?—I am informed on the best authority that the 20 signatures there represent every cow-dealer who, either from Edinburgh or in a wide district round, ever attends the Edinburgh market. I have also been informed that since the preparation of the table, only one dairyman has left the trade, and his name is at the declaration.

J. H. Maxwell, Esq., C.B.

2102. *Chairman.*] Putting aside the sources of information from which the table was derived, do you consider that the losses from diseased cows that had to be sold from disease is higher than it is, in fact?—I have two tests: the first is the slaughter-house book returns. These were all sold in Edinburgh; and we may assume they went through the slaughter-houses. Indeed, I recollect, when it became a matter of newspaper correspondence, the reporter in the Edinburgh paper referred to the slaughter-house books himself. I find that in the years 1861–62 there were 908 cattle and carcases, out of an average number of 21,647 set aside in the slaughter-houses as suspected for examination and inspection, and that of the 908,139 were condemned and boiled down, or 652 fewer than said by this Table to have been sold in a state of disease. I will put it thus: in 1861–62, the Edinburgh dairies are said to have had 1,839 cows. In the same year there were 21,647 cattle passed through the slaughter-house; 1,839 cows were said to have sent 791 diseased to the slaughter-house. I find that the total number set aside, even as suspected, in the slaughter-house that year, is only 908; but I find further, that there were only 139 after the inspection, condemned as unfit for human food; or, as I said, 652 fewer than said to have been produced by a constituency of 1,800 cows. 7 June 1864.

2103. That I presume would be practically explained by the fact, that although these cows, if sold, were sold diseased, yet the main part of them were not unfit for human food?—Certainly; but the idea has gone forth on the public mind that this represents an immense mass of disease.

2104. You mean diseased meat, unfit for human food?—Yes.

2105. So that it might be perfectly possible that in the dairies there might be a great number of cows with foot and mouth disease sold and fit for human food?—Not only possible, but necessary, because, when a dairyman finds the milk of a valuable cow going off under an attack of foot and mouth disease, he will at once sell her, and buy another cow. But then the impression that is made on the public is, that there were 791 cows in a state unfit for human food passed through the market.

2106. That is not stated in this report?—That is not articulately stated.

2107. Mr. Gamgee did not in his report, say that those cows were unfit for human food?—No; he says they were diseased, and sold to the butcher. I have one other test. I tried through an influential dairyman to construct a Table for 1863 and 1864, as Mr. Gamgee constructed one for his year, but I found I could not, and for two reasons; first of all, these people keep no record. Even Mr. Harvey, of Glasgow, keeps no records of disease. He told me he could not give me information, however willing; the cow-dealers in Edinburgh keep no record, and naturally are exceedingly unwilling to answer any questions. They do not know what business I have to ask questions. They do not know what use is to be made of their answers. I failed from those two causes, viz., their inability and unwillingness, to make up such a table at all; but I got 12 dairy-

J. H. Maxwell, Esq., C.B.

7 June 1864.

men to make their returns for last year, showing a gross of 346 cows. I find that the total deaths from all causes upon that number of cows in that year, was five four-fifths per cent. on the total number of cows. The instances of pleuro-pneumonia over those 346 cows in the Edinburgh dairies were 12½ per cent. The number of deaths from pleuro-pneumonia was one seven-tenths per cent.

2108. Did you get from the same parties the number of cows that they sold, because they had foot and mouth disease?—No, they told me they could not give it to me.

2109. I presume it would be very much larger than that?—I have no doubt it would be, because they told me that whenever foot and mouth disease shows itself, the milk begins to go off, and it is not worth their while keeping it.

2110. You would not dispute that a very great number of cows have to be sold because of the foot and mouth disease?—Certainly. I do not dispute that, but I qualify it with this, that they are sent to the proper place, viz., the Shambles, and that they are quite fit for human food.

2111. Do you wish to prevent the alarm which has been felt, that this large number of beasts unfit for human food are sold?—I do; I noticed in the discussion of the Town Council of Edinburgh, that an old gentleman, one of the magistrates, declared he believed now be was breeding tape-worms himself. I may mention that there was comparatively no alarm, and nobody knew of these tables until the second reading of the Bill was moved in the House of Commons, and the speech of the honourable Member for Merthyr Tydfil who endorsed the accuracy of these tables, and which went forth through the press; it was that that caused alarm. Mr. Harvey, who has the largest dairy in the world of 1,700 or 1,800 cows, follows so peculiar a system that his is no criterion of the disease.

2112. He infects his beasts?—He has arrived, he says, at certain conclusions; one is, that if an animal resists infection, or passes through disease, it is sound for ever; secondly, that a young animal resists better than an old; thirdly, the disease is milder in its case; and lastly, that if it dies the loss is trifling. Therefore, he buys year-olds, and puts them along with the most diseased; his object is to infect them all. So his byre is no criterion. He tells me, however, that he believes disease is on the decrease.

Veneris, 10° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Baring.	Mr. Holland.
Colonel Barttelot.	Mr. Hunt.
Mr. Beecroft.	Mr. Leader.
Sir Thomas Burke.	Mr. Leslie.
Mr. Cox.	Sir William Miles.
Mr. Algernon Egerton.	Mr. Ald. Salomons.
Lord Naas.	Mr. Thompson.
Mr. Hodgkinson.	

T. G. BARING, Esq., IN THE CHAIR.

JOHN HALL MAXWELL, Esq., C. B., recalled; and further Examined.

J. H. Maxwell, Esq.

10 June 1864.

2113. *Chairman.*] I BELIEVE you have sent to the Chairman of this Committee some clauses, or some suggestions, with respect to slaughterhouse legislation?—Yes.

2114. Do you think that those clauses can be introduced into this Bill with propriety?—No; I now think they cannot be introduced into this Bill.

2115. Do you think it is a subject which requires legislation?—I think it is.

2116. In what sense?—If I first state why I think it cannot be introduced into this Bill, it will partly bring out my meaning on the other part. The Bill has two objects, as explained elsewhere; the first is to diminish the mortality of cattle by preventing infection, and the second is by legislating against infection, to ensure another consequence, viz., diminution in the amount of unwholesome flesh. I may mention that it was with regard to the latter object that the Highland Society suggested clauses, which were afterwards printed, and I believe are before this Committee; but upon reconsideration, it occurred to me that you cannot legislate against infection and against unwholesome meat in one and the same Bill, for this reason, A Bill against infectious disease must have reference to, and must be restricted by, a specified schedule of infectious diseases. For example, if this Bill were passed, with pleuropneumonia only in the schedule as regards cattle, you would, with reference to unwholesome meat, strike at the only meat rendered so by pleuropneumonia; but when you come to legislate against unwholesome meat, you must have a measure that covers every possible disease, and everything that can be the cause of animal food being in an unwholesome state. Therefore, I still consider that some legislation is necessary, and I still consider the move we suggested a good one for legislation; but I do not now think, for the reasons I have attempted to explain, that you can introduce that measure into this Bill.

2117. The proposal you made was that there should be certain slaughterhouses for diseased cattle?—Yes.

2118. And that no diseased cattle should be slaughtered except at those slaughterhouses?—Yes.

2119. I presume that you would have inspection of those slaughter-houses?—Certainly. The proposal was to adopt the phraseology in the Bill in regard to local authorities (I think that is what they are called), and instead of giving them powers to initiate a machinery for inspecting fairs and markets, which, as I attempted to explain on Tuesday, we think impossible, to give them powers to call into being when necessary, and to put under regulation and inspection, slaughter-houses for diseased cattle, or for the carcasses of animals that had been diseased.

2120. First, to set apart slaughter-houses for diseased cattle, and, secondly, to regulate those slaughter-houses?—Yes. I have some information, if the Committee will take it, with reference to the slaughter-houses of Edinburgh, and the amount of diseased food there; and I think, if I was allowed to state it, it would bring out the need for some further legislation than we have at present.

2121. Will you be kind enough to give it to the Committee shortly?—I think, in justice almost to the municipal authorities of Edinburgh, I should be allowed to do it. As I stated before, upon this particular point there has recently, within the last few weeks, been great and unnecessary alarm caused in Edinburgh. Of course I am not here to say that there is no unwholesome food in the market, but there has been gross exaggeration upon that point, and the public have been unduly frightened. I may refer to the report to the Privy Council, in which it is stated that from 100 to 200 diseased animals are sent weekly to the Edinburgh dead-meat market. Now, it would at once appear to the Committee that these animals must either have passed through the public slaughter-houses of Edinburgh, or have been sent into Edinburgh from private slaughter-houses outside the city, beyond the jurisdiction of the magistrates, and therefore not under control.

J. H. Maxwell, Esq.

10 June 1864.

trol. We will take the first case. The public slaughter-house is under inspection, and the shortest way of describing what the nature of that inspection is, is to lay before the Committee the following extract from a report which I have received, and which is certified by the Town Clerk of Edinburgh. (*The same was put in.* See *Appendix.*)

2122. What is the date of that?—14th April.

2123. Have you seen the report of the Market Committee?—Yes; I have to refer to that presently. This was a draft; but I was going on to say that the 100 or 200 diseased animals that are sent into the dead-meat market every week, must either pass through these slaughter-houses that are under inspection, or they must be slaughtered outside, at one or other of those slaughter-houses that are beyond the one-mile boundary. Now, in the first place, I do not deny that these outside slaughter-houses are a nuisance, and it is those very slaughter-houses we wish to provide against; but there, again, there has been gross exaggeration, because the produce of these slaughter-houses is under inspection, in so far as the inspectors in Edinburgh examine the butchers' shops and the dead-meat market. If the diseased meat finds its way into any shop, it is liable to be detected and the people to be punished; but, irrespective of that, if the whole of every animal that can be slaughtered in those outside places were sent into Edinburgh, if none of it was detected, if it was all in a state of disease, and every pound sent in for human beings in Edinburgh, the produce of the whole of that could not be much more than a fourth of what has been stated. It is here stated at from 100 to 200 weekly. Now, there are just six of these outside places, and their maximum killing, including everything that is killed for pigs, is 50 carcasses weekly. I know, personally, that two, at least, of these six establishments belong to very first-class butchers, men of the highest respectability, who never kill bad meat, and have never been suspected of doing so. I know that a great deal that is killed there goes to the pigs, and some of it does not go into Edinburgh at all. I am not here to deny that some comes in and will come in in an unfit state for human food; but the statement that in these places or slaughterhouses there are from 100 to 200 weekly in a state unfit for human food is manifestly an impossibility. Your question was whether I had seen the report of the Town Council. That report embodies the improvements that this draft report, which I have read, promises to submit; and these improvements simply consist in making the inspection of slaughterhouses and markets a great deal more stringent than at present. The consequence of that will be, that the more stringent they make the inspection of all public slaughterhouses, the greater will be the inducement to send to any low sort of knacker's slaughterhouse outside, and it makes it the more necessary to have some legislation in the direction that the Highland Society indicate. It stands to reason that the more the public city slaughter-houses are put under inspection and the more stringent the regulation the greater the inducements, and then I follow that up by showing the greater necessity for some sort of legislation such as I have suggested. I may mention that I have the statistics of the slaughterhouses. I need not mention the sheep, swine, or calves, but the average number of cattle passing through the slaughterhouses of Edinburgh was 21,647, for a period of three years; and for a period of five years, in regard to cattle, the average number put into the suspected book is 734 cows and 45 oxen (that is, for the year 1859–60), and 201 cows and eight oxen were condemned in the whole year, out of 21,647. Next year there were 681 cows and 73 oxen; 95 cows and nine oxen were condemned. In 1861 and 1862, which are the years of the Dairy Table in the report, there were 801 cows; 107 oxen were suspected, and 125 cows and 14 oxen were condemned. The next year there were 707; 71 were suspected, and 96 condemned as unfit for human food, and also nine oxen. These are the statistics of four years.

2124. These statistics, in regard to their value as showing the quantity of cattle unfit for human food sent to the Edinburgh slaughterhouses, must depend, I presume, on the inspection having been efficient?—Certainly.

2125. You have, I think, a copy of the Report of the Market Committee?—No, I have not; I read it in the newspapers, but I have not got a report. I left Edinburgh before, and I have not got it.

2126. I hold a copy of that report in my hand, and I see the Committee state that, in their opinion, "the existing rules and regulations of the slaughterhouses, with the additions hereinafter suggested, would, if rigidly enforced, be sufficient to secure the public against unwholesome food getting out of the shambles and being exposed for sale." But they add that, "they are, however, of opinion that, for some time back, the existing rules and regulations have not been strictly enforced, and that the management of the establishment has been such as to necessitate certain changes, and they have now to make certain recommendations?"—Yes, I have no doubt that it has not been so rigid as it should have been; but I have explained the nature of it, and I have no doubt it can be improved.

2127. They recommended the removal and change of the superintendent, and additional appointments, and so on?—Yes.

2128. That, of course, must very much detract from the value of any statistics of condemnations in regard to their being a proof that cattle unfit for human food had not been slaughtered there and consumed?—There has been, as I say, great alarm created, and the Town Council themselves have become alarmed. I suspect that the condemnations in the public slaughterhouses represent pretty faithfully the animals that were unfit for human food. Where I suspect that there have been animals in a state that should not have been eaten, they have come in from some of the outside places.

2129. The report of the Town Clerk, if I recollect rightly, from which you quoted, stated that the Committee found that certain statements had been grossly exaggerated?—Yes.

2130. I do not find anything to that effect in the report of the Committee?—I am not aware.

2131. Will you see whether that is the report of the Committee to which you allude (*handing the same to Mr. Maxwell*)?—Yes; this is the report which I saw in the newspapers.

2132. Perhaps you will be kind enough to put that report and the report of the Town Clerk in?—I will. The report of the Town Clerk is certified

certified by him as a draft report of the Committee; and he should have sent me this, to have shown me what it ended in. I will put them both in. (*The same was put in by the Witness*: see *Appendix*.) I also put in two letters referable to Glasgow and Aberdeen. (*The same were put in*: see *Appendix*.) Then, with regard to Aberdeen, I may say that I was authorised by the Lord Provost of Aberdeen (Sir Alexander Anderson), whom I met yesterday, but who has left town, to state that the report can be fully trusted. I find that from 1856 to 1863 the following were the condemnations under the inspection there. For the years 1856 and 1863, inclusive, 36 carcasses of beef and veal, 102 pieces of beef and veal, and nine sheep. He authorised me to state that the markets in Aberdeen are singularly devoid of unwholesome food.

2133. Mr. *Leslie.*] And the inspection is satisfactory?—Yes. This is signed by Mellis, the inspector, and he told me that what he authenticated might be trusted.

2134. *Chairman.*] Those regulations which you have been alluding to depend upon local acts?—Yes.

2135. In Aberdeen?—This is the inspection under the Nuisance Act.

2135*. Mr. *Leslie.*] Did I understand you that it was your opinion that the foot-and-mouth disease should be included in the Schedule of the Prevention Bill?—Certainly not, nor in the Importation Bill either.

2136. Mr. *Thompson.*] You represent the Highland Agricultural Society?—Yes.

2137. You are aware that foot and mouth disease caused a very great loss to breeders and graziers?—Yes.

2138. And that infection is contracted very frequently by travelling on the road, and moving about from one place to another?—Yes.

2139. You object to provisions of the Bill which apply to foot and mouth disease, on the part of the Highland Society?—Yes.

2140. Have you any suggestions to offer for the purpose of, in any way, checking the spread of that complaint?—None; we consider it impossible practically to offer any suggestions susceptible of practical operation.

2141. I mean both in moving about roads, and on railways or ships?—I have already said that, with regard to the railways, we highly approve of the cleansing clause, but beyond that we cannot see how that disease can be dealt with. I had a letter the other day from a large farmer in East Lothian, who wrote to me with a view of illustrating the impossibility of dealing with it; and he stated that in one night, from the change of weather, stock that the night before were perfectly well, the next morning were all affected. Indeed, I believe that you could not hold a cattle-show if you were to legislate against foot-and-mouth disease. At Battersea there was a great deal of murrain, foot and mouth disease, before the show broke up, and at the great International Show at Paris there was a great deal of it. You would require to have a rigid inspection at the Royal Agricultural Society's Show, and to turn out a good many cattle before the show was over.

2142. Did I understand you to say that you were opposed to the appointment of inspectors by local authorities?—Yes, for fairs and markets.

2143. But not in other cases, in the case of dead-meat markets?—Certainly not; the more stringent and rigid that can be, the better. That can be accomplished, and it cannot be too stringent. The clause which the Chairman asked me one or two questions about, and which the Highland Society suggested, is to put slaughter-houses for diseased cattle under rigid inspection; we do not object to inspection because of inspection, but because the system of inspection proposed by the Bill for our great fairs and markets is practically impossible, and would have been very obstructive to trade.

2144. Would you have the slaughter-houses all public?—No, certainly not; but I would restrict the slaughtering of animals affected with disease; nay, more, I would force into public slaughter-houses under inspection the carcasses of animals that had been killed under disease at home, and I would submit them to an inspection before they were passed to the dead-meat market, On the other hand, I would impose a severe fine on any man who sends to, or receives at, a slaughter-house other than a slaughter-house under the Act, any animal or any carcass that had been affected with disease. I may mention that that clause was submitted to the butchers in Edinburgh and Glasgow, and that they have no objection to it. They have a strong interest in seeing some such measure carried out for their own protection; and also some of the practical gentlemen connected with Smithfield Market considered it, and it met with their approval; at the same time, we think that there should always be a right of appeal from the inspector. Suppose I send an animal there, and he declares it unfit for human food, and I think that it is wrong: there ought to be a right of appeal, and we think that appeal ought to be to butchers, in case of doubt, as is the case at present in Glasgow. A veterinary surgeon is the best man to give an opinion as to disease, but I think that the butchers are the best judges of what the condition of the flesh is after the animal is killed. One idea was that a certain number of butchers in the larger towns should be sworn in before the sheriff to do that duty, and that they should take it in rotation when called on.

2145. You think that butchers would be the best inspectors of dead-meat?—Yes; both from their knowledge and experience, and from the interest that they have in seeing their customers protected: I mean the first-class butchers in the towns.

2146. Do you approve of what was stated by Professor Simonds with regard to the appeal, that the appeal from the inspector's decision should be to one of the great Veterinary Colleges?—Yes. I understood Professor Simonds to be talking about quite a different inspection to that which I am now talking about. I was supposing that we had these public slaughter-houses for diseased animals, and that the carcass was hung up there, and that there was a dispute as to the condition of the carcass for human food. Professor Simonds, I understood, was talking of the inspection at the port of arrival of foreign imported cattle. These animals are alive; and the question is whether they are labouring under disease or not, which is a veterinarian's question. And there I would have a veterinary surgeon; I quite agree with Professor Simonds on that point.

J. H. Maxwell, Esq.

10 June 1864.

2147. Sir *William Miles.*] Have you any statistical returns which you can give us of the quantity of meat which comes into Edinburgh weekly, dividing it into the animals that come in for slaughter and dead-meat for the salesmen?—No, I have not. I have given the number of animals that come in for slaughter; I have given the number of animals that pass through the slaughter-houses; and I have also given the number of private slaughter-houses within a certain radius of Edinburgh, from which dead-meat comes into the city; and I have given the maximum weekly killing of these establishments. Beyond that I cannot go.

2148. I do not think you have put in the quantity of meat that was condemned in the market?—Yes, I have.

2149. Do you find that a great quantity of dead meat comes into Edinburgh from a distance?—No. The return I put in did not apply to dead meat brought into Edinburgh, but to the dead animals inspected in the slaughter-houses and condemned.

2150. But would it not be necessary to take these all into consideration before we enacted laws; both the supply of dead meat from a distance, and likewise the supply of live meat?—Certainly; it would be necessary, perhaps, to get more information than we have. I do not mean to say that in Scotland we have all the information that would warrant legislation even on that point with regard to the dead-meat markets; but we think that the question is well worthy of inquiry, and perhaps of legislation.

2151. Could you inform us where in Scotland we could get such necessary information?—I am not at present prepared to say how it can best be got.

2152. Have you many foreign animals imported?—I gave the number of foreign animals imported. The importation trade has been under inspection only since the 30th of May 1863, and during that period we have had 13,680 sheep and 2,232 head of cattle imported from Hamburg. I mentioned that all these animals were meant and in a condition for the fat market; that there had not been one instance of pleuro-pneumonia amongst the cattle; and that there had been, on eight different occasions, altogether 18 instances of foot and mouth disease, so that the amount of disease in the cattle brought from Hamburg to Leith was infinitesimal.

2153. In any schedule or legislation on the subject, do you conceive that it is necessary that the disease of scab in sheep should be taken into account?—The Directors of the Highland Society did suggest to the Home Secretary that scab ought to be added to the schedule; but it is a point on which there is a very great difference of opinion. I do not profess to express an opinion myself on it; it is more a veterinarian's question.

2154. The disease of scab in sheep is very catching, is it not?—Yes.

2155. And effects first of all the fleece, and after that the condition of the animal?—Yes, I believe so; but, as I say, that is so purely a veterinarian matter that I do not profess myself to deal with it.

2156. Mr. *Hunt.*] It is easily detected, is it not?—Yes. It was certainly at the suggestion of the Highland Society that scab was introduced into the Schedule.

2157. No person could have scab amongst his flock without finding it out very soon?—I should think not.

2158. Colonel *Barttelot.*] You have paid particular attention to this matter of pleuro-pneumonia, have you not?—I have paid particular attention to the statistics of pleuro-pneumonia, with the view of ascertaining and checking the accuracy of the rates of mortality and the consequent losses contained in the report.

2159. Is it your opinion that pleuro-pneumonia in Scotland is on the increase or decrease?—I stated on Tuesday last that I have a report from every county in Scotland: the reporters were persons selected by myself, from my knowledge of their qualifications. Sixteen counties reported themselves perfectly free from pleuro-pneumonia; and, without a single exception, the other counties reported pleuro-pneumonia to be on the decrease, less frequent in its attacks, and existing in a milder type, and easier managed when it occurred.

2160. Is it within your knowledge that the general breeding districts of Scotland are at the present moment very healthy?—Very healthy. I met one of the directors of the Highland Society yesterday; he is a very large farmer in Clackmannanshire, having generally 200 cattle (Mr. Mitchell, of Alloa), and he stated that he nexer knew a country, in that respect, so healthy. He said, "You may further state from me, that over 10 years, with this large herd of cattle, I have had only one instance of pleuro-pneumonia, and have lost only five cattle. He once bought 20 cattle in the market, and five of them died. That was his only case of pleuro-pneumonia in 10 years. With reference to your question I, on Tuesday, stated the very important fact, that Mr. Gairdner, whose Tables of Disease have been before the Committee, though not from me, wrote to me last week, that he had been collecting rents in Ayrshire, which is a district supposed to be liable to pleuro-pneumonia, from above 250 tenants, and that he had taken advantage of that opportunity to renew the inquiry that had been made a short period before, and that, again, he could only discover from that district two cases of pleuro-pneumonia; in one case one animal having died, and in another case seven.

2161. Do you generally attend the large fairs in Scotland?—No, very rarely; I do go for amusement sometimes. I have no business there; I neither buy nor sell, at least I do not farm much.

2162. Did you, at any of those fairs, ever see a very bad case of pleuro-pneumonia sent into the fair for sale?—Upon my word if I saw an animal, it might have pleuro-pneumonia very badly and I could not tell it; I have no knowledge of that sort. I farm myself a little, but I know nothing about cattle diseases.

2163. I have only one other question to ask you with regard to that. Supposing this Bill was passed into law, would it not be considered by the breeders of cattle in Scotland a very great hardship that pleuro-pneumonia should remain in the way in which it at present stands?—I am not quite sure that I can say that, because we in Scotland know that pleuropneumonia may be propagated by infection or contagion; and we think that if a person, to his knowledge, has animals suffering under pleuro-pneumonia, he has no right to bring them into the store-market, and to

to expose his neighbour to risk of infection; and we think such a person deserves to be fined, but that is the extent to which we go. If you take Part I. Section 5, we have already represented that we think some of the preliminary provisions as to turning out diseased cattle are a little too stringent. On the drove roads, which are the tracks used from the great Falkirk Tryst all through Scotland to the border, and I suppose beyond that, there are "stances," as they call them, for night. My cattle might be taken there and they might be diseased, but I have but one place to put them into; I should not be allowed, by the farmer whose land I happen to be on to put them with his cattle; I must put them somewhere, and the public "stance" is the only place. I must say that there we ask for the importation, from No. 3 of the same clauses, of the safety of the words "all practicable precautions." We ask that that proviso should be imported into No. 1, and that I should be allowed to put them into unenclosed ground, provided I take all practicable precautions to keep them separate, because I have no other place to put them.

2164. Then, in the main, you would agree with Professor Simonds, who says that there should be two schedules, and that pleuro-pneumonia should be put into the second schedule, merely being subject to a fine?—I confess (though it was my fault, no doubt) that I failed in following my friend Professor Simonds in that part of his evidence. I do not understand how the two schedules in one Bill are to be worked, nor do I see the object of the two schedules. I misunderstood Professor Simonds there, perhaps; I would keep pleuro-pneumonia in the schedule, but I would, as far as possible, restrict the enactments in reference to it, to meet the case of a man wilfully sending an animal suffering from pleuro-pneumonia into a public market.

2165. Sir *Thomas Burke.*] Can you give the Committee any idea of the quantity of dead-meat brought weekly into Edinburgh market?—I think I was asked that question before; I have ascertained, as I have said already, the number of killing-places not slaughterhouses outside, and the killing of it, but I cannot go further.

2166. Mr. *Algernon Egerton.*] The inspection of slaughterhouses at Edinburgh is under the Nuisances Removal Act, is it not?—No; it is under a series of Acts. They have Acts specially for the purpose; I stated that this draft report, which has been superseded in some measure by a printed report of the Town Council, narrates all the Acts. They have the Nuisances Removal Act, but they have Local Acts specially for the purpose.

2167. Do you know whether that is the case also at Aberdeen or Glasgow?—No; at Aberdeen it is entirely the Nuisances Removal Act. They do not inspect the market; it is the dead-meat market merely. At Aberdeen almost the whole of the meat is sold in one great market, a very fine market, and they have peculiar facilities for inspection and detection; there is very little meat sold in small shops in the town.

2168. Is it compulsory under this Act that there should be an inspection of dead meat, or is it simply permissive?—I am not able to answer that question. I merely know the fact, that there is a process of inspecting under it; there is, at all events, the power.

2169. Can you give the Committee any information as to the annual cost of the inspection at Edinburgh, where it is more complete, I believe, than at Aberdeen or Glasgow?—The annnal cost is not large, but by this completed report, which the Chairman has referred to, it is to be very considerably increased; they are going to have a higher style of officer, and more of them.

2170. Mr. Alderman *Salomons.*] Do you not think it would be a desirable thing if inspectors, that were appointed would make a statistical report, periodically, as to the state of the market to the authorities?—They do so at present; as far as the slaughter-houses go, there is a record kept in books of the number of cattle brought in, the number suspected, the number examined, the number condemned, and the number passed. I presume, though I do not know it, that the inspector of the dead-meat market makes his report to the police at stated periods, and that they have a record of what takes place; but it would very easily be done, and it is very necessary to be done.

2171. Do you think it is advisable?—Certainly; in the slaughter-houses it is done. What the inspector of the dead-meat market does, I cannot tell; but it ought to be done.

2172. *Chairman.*] Have you any other observations to make to the Committee?—No, I have only to say this: I was directed, in the name of the Highland Society, to offer the Committee any amount of evidence from veterinarians in Scotland, from farmers in Scotland, and from butchers and cow-dealers, in support of the views which I have stated. It is not to be supposed that those views are limited to myself; if the Committee require more evidence from Scotland, either of a scientific or a practical character, I am empowered to offer it to them. I wish to put in a declaration by 12 dairymen, owning 346 cows, as to disease last year. (*The same was put in.*—Vide *Appendix.*) I have also to put in a copy of the Bill, printed as the Highland Society would like to see it, along with a memorandum explanatory of the alterations, a sort of glossary of it; this was sent to the Home Office by the Society. (*The same was put in.*—Vide *Appendix.*) After this was printed, we suggested the penalties on the private slaughter-houses; and this, nearly in the same words, will be found at Clauses F, G, H, I, and J of the Bill, as amended by the Secretary of State.

2173. Colonel *Barttelot.*] The first Bill which you put in, the amended Bill, is as far as the Highland Society think it is prudent that legislation should go?—It is going a little further than the Highland Society would go; but we were trying to make some clauses, that we would rather object to altogether, as innocuous as possible.

2174. Is there any evidence which you would wish to offer the Committee on the suggestions you make in those alterations?—No; I think that the questions which I have been asked here cover all the points of alterations that we propose.

PROFESSOR SIMONDS, recalled; and further Examined.

Professor *Simonds.*

10 June 1864.

2175. Mr. *Hunt.*] HAVE you had any experience with regard to the treatment of scabby sheep with mercurial ointment?—I have had considerable experience in the treatment of scabby sheep, both by mercurial ointment and by other means.

2176. I do not want to go into the question of which is the best treatment, but I merely wish to ask you as to this point: do you consider that the flesh of sheep which have been treated with mercurial ointment, after they have recovered from the scab, is likely to be injurious to human health?—I cannot at all understand that such should be the case. The quantity of mercury, in a fit state for absorption, existing in the mercurial ointment used in the treatment of sheep for scab is so small that, even if it were all absorbed, which certainly is not the case in this instance, it even then, in my opinion, would not affect the quality of the flesh.

Mr. JOHN HÖNCK, called in; and Examined.

Mr. *J. Hönck.*

2177. *Chairman.*] I BELIEVE you are in the import trade of cattle to the Port of London?—I am.

2178. You are in possession of the views of the importers of cattle with respect to the Cattle Importation Bill, which is now before this Committee?—I am.

2179. I believe there was a meeting of importers and salesmen in March?—Yes, there was a meeting held, at which I was elected chairman.

2180. And that meeting passed certain resolutions?—When we first heard of those bills about to be introduced, we were afraid that the already existing regulations, which are very stringent, so far as the foreign trade is concerned, would be made still more so; and, consequently, we consulted together as to what was best to be done. But we found on examination that the foreign Bill would be a very good one, and, with alterations, would remedy the very stringent regulations which have been in existence for many years.

2181. Have you a copy of the resolutions which were passed at that meeting?—I have.

2182. Will you be kind enough to put in a copy of the resolutions?—Yes. (*The same was put in.*—Vide *Appendix.*)

2183. You have sent me a copy of the Cattle Importation Bill, with certain amendments, which you propose on behalf of the cattle importers, I believe?—Yes.

2184. Have you a copy of that in your hand? Yes.

2185. As far as I am able to judge of the effect of those amendments, they are confined in the main to two points?—Yes.

2186. One is, that the disease called foot-and-mouth disease is excepted altogether from the operation of the Bill?—Precisely so.

2187. And the other is, that there is a clause providing for arbitration in case of difference between the Government Inspector and the importer?—Yes, that is so.

2188. Perhaps you will be kind enough to tell the Committee why you consider the foot-and-mouth disease should be excepted from the Bill?—With the amount of disease called foot-and-mouth disease existing in this country already, I think that the importers of foreign cattle have already suffered very severely, inasmuch as they have had very frequently whole cargoes detained at the waterside, by the authority of the Customs inspectors, for the sake of two or three cattle which were affected with this disease, and they have been obliged to be slaughtered at a ruinous loss to them. This has been caused by the diseases not having been properly defined by a schedule. For that reason, we wish to have the schedule excepting the foot-and-mouth complaint from the list of the diseases which would be prevented from coming into this country.

2189. You have, I believe, attended this Committee pretty regularly since its first sitting?—I have.

2190. You have heard the evidence given by Professor Simonds and other witnesses, respecting the foot-and-mouth disease, in regard to the home trade of animals?—I have.

2191. Those witnesses have stated, generally, that any restrictions to the sending to markets and fairs in England of animals affected with foot-and-mouth disease would prevent trade altogether?—It would; it would be entirely inoperative, I believe.

2192. Do you consider that it would be fair to the foreign trader to place restrictions on the importation of beasts with that disease?—I think not, because any restrictions which would be placed on the importation of foreign cattle would be calculated to diminish the trade, and by that means enhance the price of meat in this country very materially; and, I believe, it has already done so for a number of years.

2193. Do you consider that the effect of the present law, with respect to the importation of cattle, has been to diminish the number of beasts imported into England?—No doubt of it; because, instead of sending cattle here, while the importers are subject to have them stopped, and subject to very serious loss, they would prefer sending them to the manufacturing districts of France and Belgium.

2194. Are you aware, as a fact, whether the importation of cattle has increased or decreased in the last 10 years?—It has increased.

2195. How do you reconcile that with the opinion which you hold, that the effect of the inspection has been to decrease the amount?—The fact is, the price of meat in this country has risen considerably; and, of course, that has opened other channels, from great distances, to bring the cattle into this country.

2196. From what part of the Continent do the cattle come with which you yourself are concerned?—I have them from all parts of the North of Europe: from Schleswig-Holstein, from Hamburg, from the Oeser, and also from Portugal and Spain.

2197. Have the importations decreased from those countries?—No; I should say that they have increased during the last 10 years.

2198. What diseases are those cattle subject to?

to?—They are principally subject to the foot and mouth complaint, because the very fact of their being removed from their houses, and exposed to a long journey, with a very bad sea-voyage, frequently causes them to have this disease while on the road; so that they may be sent away from home perfectly healthy, and when they arrive at the port of debarkation, they are found to have the foot and mouth complaint.

2199. Would you object to any cattle suffering from foot and mouth disease, however bad, being killed on its arrival?—Inasmuch as they are always coming into the fat market, I do not see that there would be any objection to let them come, because slaughtering them at the waterside, where there is no convenience whatever, except at one or two places, always subject the importer to a very serious loss, and by that means it impedes the trade.

2200. Have you no proper slaughter-houses?—There is one wharf which has a small slaughter-house, but not at all equivalent to the large number that are imported.

2201. Then you would not be satisfied with only giving power to stop beasts that have the foot and mouth disease, and letting the others go?—I do not think that it would be fair to the foreign importers, when there is such a large amount of the foot and mouth complaint in this country, that they should be stopped at the waterside.

2202. With respect to other diseases, you have no objection to find with the present state of the law?—No. But there is one observation I have to make, and that is with respect to cases where there is doubt, because sometimes it has been found, particularly with sheep, that there has been a doubt as to the existence of scab, and in such cases I think it would only be fair to the importer to have a power of appeal granted.

2203. Before we come to the power of appeal, I want to ask one question respecting this Bill. You have put in the copy which you sent as representing the views of the cattle importers?—Yes.

2204. The objection to that, as it appears to me, would be that there would be many diseases which render beasts of all descriptions unfit for human food, which could not be specified in any schedule. Take, for example, typhus fever, or scarlet fever in pigs, or such a disease as that. Would not a clause specially excluding the disease, commonly called foot and mouth disease, from the Bill, be quite sufficient to meet the views of the importers?—Not scab.

2205. Specially excluding foot and mouth disease from the Bill?—We want to exclude scab in sheep as well, because the cattle that are sent to this market are always imported for the purpose of being slaughtered, and they would not do any damage.

2206. You mean, you think it would be right to import scabby sheep, and allow them to be imported without any check?—I think, if the Customs authorities were satisfied that they were only brought here for the purpose of being slaughtered, and if they satisfied themselves that they were slaughtered, there would be no objection at all.

2207. Sheep that are brought to the London market are not always slaughtered immediately, are they?—Invariably, within two or three days from the day of their arrival.

2208. Are they not turned out into the parks and other places for a certain time?—They are, in the neighbourhood of London, turned out for a day or two at the most. For the Monday's market they arrive on the Saturday, unless they are prevented by stress of weather; and for Thursday's market they arrive on the Wednesday.

2209. Scab is a disease which is very easily detected by the person to whom the animals belong?—Undoubtedly.

2210. Consequently, there would no difficulty whatever for a person on the other side of the Channel to avoid sending scabby sheep across the Channel?—No.

2211. So that the argument in favour of excluding foot and mouth disease would by no means apply so strongly to scab: the argument that beasts may be put on board perfectly healthy, and get the foot and mouth disease before they arrive in this country?—That would not apply to scab.

2212. Do the importers lay as much stress on excluding scab as on excluding foot and mouth disease from the Bill?—I do not suppose that they lay so much stress; but at the same time it would be very desirable for parties importing to the Metropolitan Market if they were not obliged to have their sheep slaughtered at the wharves at a ruinous price.

2213. I presume that you would think it is just and fair to treat the foreign importer in the same way as you do the English dealer?—Most certainly.

2214. If, therefore, there is a clause introduced into the Cattle Diseases Prevention Bill, subjecting persons who send sheep with scab to markets and fairs in England, or who send sheep with scab by railway or steamboat, to a penalty, you would surely think it was not unfair to prohibit the importation of those sheep from abroad into this country until they are cured?—No, that would be a perfect safeguard against any sheep coming in from abroad, because they would be subject to a penalty.

2215. You think if you had the penalty you would not require the prohibition?—Certainly not.

2216. So that the prohibition might with safety be enacted if the penalty was enacted in the other Bill?—Yes.

2217. Do you think that pleuro-pneumonia is a disease which is more prevalent or less prevalent than it has been abroad?—It is less prevalent; very much so.

2218. Are there great precautions taken abroad to prevent the spread of it?—Very great precautions. I am now speaking of Schleswig and Holstein, where I know that the Government have taken the affair in hand, and they have appointed inspectors, or placed the herds affected with this disease under inspection, and by that means they lose the control over their own property, and, in consequence, they complain of the remedy as being worse than the evil itself.

2219. Have those precautions been successful abroad in stopping pleuro-pneumonia?—No, I I do not think they have had the least effect. On the contrary, I have heard very great dissatisfaction about it.

2220. Do you believe that pleuro-pneumonia is a disease which originates spontaneously, or rather from influences of climate, or that it is produced

Mr. J. Hönck. 10 June 1864.

produced in all cases by infection?—The opinions of veterinary surgeons about that are at variance, generally speaking; but I do not believe that there has been an opinion given, which could not almost be contradicted by a case in practical experience; in fact, there is nobody knows anything about it for certain.

2221. Have you any information respecting the steppe-murrain to give the Committee?—It is not in existence in Germany; and I am in a position to say that it was not introduced into Schleswig and Holstein, because I am in possession of certificates signed by veterinary inspectors of all the districts, and they go to show that the cattle are perfectly healthy.

2222. With regard to the clause which you propose as to an arbitration; the clause proposes that any difference which may arise between a Government inspector and the importer or remover shall be referred to or determined by a person or persons to be appointed on the application of either party, by the President of the Royal Veterinary College?—Yes, I think the Royal Veterinary College a very proper authority to decide disputes of that kind.

2223. Have you any objection that the referee should be a veterinary surgeon, appointed by the Board of Trade, for example?—Yes. At present the fact is that the Customs recognise an appeal; but the appeal is inoperative, or at least unsatisfactory to the importer, inasmuch as there is a second veterinary surgeon appointed, whom the importer is entitled to call in, but in case of his differing from the appointed inspector they then call in a second Custom-house inspector, and, consequently, they are always two to one against the importer.

2224. Have you any objection to this being taken, that a second veterinary surgeon, or rather a referee, should be appointed, say, by the Board of Trade, and his decision in a difference between the inspector and importer shall be final?—I think it was resolved at our meeting that they would prefer the Royal Veterinary College to appointing such an inspector.

2225. To a Government appointment?—Yes.

2226. The other amendments, I think, are quite verbal?—Yes.

2227. There is an amendment in clause 3 as to the persons who should pay for the purifying of the quays?—That is now done by the wharfingers and steamboat proprietors, and they have no objection to continue so doing, I believe.

2228. You mean in section 7 of clause 3 to leave out the words, "at the expense of the importer," which would leave the practice as it is now?—Yes, as it now stands.

2229. In clause 7, what is the difference in the words which you propose to put into that clause?—It subjects the importer to a penalty not exceeding 100 *l.* As the cattle which are consigned to salesmen and others in this country are consigned in very small lots, very frequently in ones and twos, the penalty of 100 *l.* could not be enforced.

2230. That clause would only refer to a case in which the Privy Council considered it necessary absolutely to prohibit the importation of animals to any place, as I read it, imported in contravention of the regulations?—Yes.

2231. If it was an importation that was sent knowingly, when it had been found necessary to prohibit the importation of animals to a particular district, you surely would not object to a heavy penalty being inflicted?—Certainly not; but at the same time I do not see how you would enforce it on the importer. All you can do is, take possession of his goods, he being a resident abroad.

2232. The importer would be the person who received the beasts in this country, I apprehend?—I think it would be very hard on the consignee who receives one or two oxen, we may say, to be called on for a penalty of 100 *l.*, when he had no knowledge whatever of the cattle being sent away diseased.

2233. Is that the present law as it now stands?—That is the present law as it now stands.

2234. So that there is no change in the clause, at any rate?—No.

2235. I suppose practically you have arrangements with your correspondents on the other side that that they shall pay these penalties, in case such a thing should arise?—No, there is no arrangement of that sort.

2236. Would you not be able to recover the 100 *l.*, supposing that you had to pay it?—I should be very much afraid that I should have to lose it myself.

2237. Are there any other observations which you wish to make to the Committee about the Bill?—No. The principal desire that we have is to have a Schedule added to the Bill, excluding the foot and mouth complaint in cattle and the scab in sheep, and also to have a power of appeal granted in cases of dispute. That would satisfy the importers, I believe.

2238. Mr. *Hunt.*] Is your business confined to the importation of fat cattle?—Yes.

2239. You know nothing about the importation of store cattle?—No; the fact is that the importation of stores into this country is quite exceptional. It is only at times, when they are very short of food and grass, that they send store cattle to this country at all.

2240. I believe that nearly all foreign cattle which are imported are slaughtered within a few days of their arrival?—They are.

2241. You import to London?—Yes.

2242. What ports do you import from?—From Tonning, Hamburg, the Oeser, Oporto, and Corunna.

2243. Principally from the north?—Principally from the north.

2244. You say that you wished to strike the foot and mouth disease and scab out of the schedule: I understand the reason why you would strike foot and mouth disease out of the Schedule is, that you think there is so much of that disease in England that you do not do much harm by bringing a little more?—It is not the doing any harm; but the cattle which are imported into this country are invariably slaughtered, and therefore they would not do any harm whatever.

2245. I do not understand why you wish to strike the scab out of the Schedule. Do you think that the meat of scabby sheep is not unwholesome?—I think it is perfectly wholesome.

2246. Therefore, you think that there is no objection to importing scabby sheep for the purpose of being slaughtered immediately?—I do not.

2247. Are store sheep imported much from abroad into this country?—Not much.

2248. Are you concerned in the importation of dairy cows?—I am not.

2249. Do

2249. Do you know anything about that?—Yes, I know how the trade is carried on. There are dairy cows imported from Holland.

2250. Into the Port of London?—Yes.

2251. That is a pretty considerable trade, is it not?—I believe it has increased during the last two or three years. Formerly we used to have only a few of them.

2252. Your observations about the foot and mouth disease not doing any harm amongst imported cattle would not apply to dairy cows. You said that there was no objection to animals diseased with the foot and mouth disease coming into London, because they were slaughtered immediately. That would not apply to the case of dairy cows?—No; it would not apply to dairy cows in the same way.

2253. Do you not think it desirable to keep dairy cows which are affected with that disease out of this country as far as possible?—I do not think, with the amount of disease already existing in this country, that it would matter, because it is only a passing evil, and they very soon recover from it.

2254. Mr. *Thompson.*] You say that the effect of the present law is to cause such losses to the importers, that you send sheep and cattle to the manufacturing districts of France and Belgium, instead of to England?—Yes.

2255. You would prefer to send them to England, because it is less expensive to bring them to England than to take them to France and Belgium?—From some districts it is.

2256. Are there no regulations in France and Belgium against the taking of diseased fat cattle there?—I think not; none whatever as to cattle affected with the foot and mouth complaint. They take no notice of that.

2257. As to scabby sheep?—I am not prepared to say.

2258. If the present law was altered as you wish, would not the effect be that the scabby sheep and the cattle affected with pleuro-pneumonia would all be brought to this market, instead of going to Belgium and France?—I do not suppose it would have that effect.

2259. Surely, if it pays you better to bring them here, and there is no regulation preventing your doing so, that would be so. Now, you take them there; if that regulation were removed, you would bring them here?—Very frequently they catch it during the voyage, so that it is very questionable whether the quantity would be increased at all.

2260. I do not believe that the foot and mouth disease could ever be developed in so short a time as during a voyage?—I assure you that we have had it very frequently; and I can tell you that we have had them passed in Hull, and when they have arived in London, they have been bad with the foot and mouth complaint, and that occurs every week.

2261. Mr. *Holland.*] You say that, for the Thurday's market, the sheep arrive on the Wednesday?—Yes, principally so.

2262. But that they are very frequently delayed by the weather?—Sometimes.

2263. So that, if they arrive late for Thursday's market, they would be kept over to Monday?—They would.

2264. And then the scabby sheep would, of course, be pastured somewhere in the neighbourhood?—In the neighbourhood of London, or else left at the lairs in the cattle market.

2265. Are those lairs expressly for foreign imported cattle?—Foreign and English.

2266. When cattle and sheep which are imported leave these lairs they go into the common market and get what standing they can; they are mixed with the other arrivals that are there?—They are.

2267. Would it be detrimental to your trade if there were standings specially put apart for foreign cattle and sheep in the market?—I am not prepared to answer the question. It might be so, although I do not think it would.

2268. If it would not, it would be to a certain extent a safeguard against the spread of foot and mouth disease and scab from imported animals?—I believe that it is more in existence in this country than it is amongst the foreign cattle.

2269. Your experience is connected with fat cattle?—Yes.

2270. Is it requisite to kill them immediately they arrive, or at least as soon as possible afterwards?—Do you mean cattle suffering from the foot and mouth complaint?

2271. No; any fat cattle that arrive?—We have markets twice a-week, and they are invariably killed within two or three days of their arrival, or within three or four days.

2272. Fat cattle deteriorate after a voyage, if they are kept, do they not?—They do.

2273. And fat sheep also?—Yes.

2274. With regard to the quarantine arrangements that at present exist?—The quarantine arragements are very detrimental to cattle which have at all symptoms of foot and mouth complaint. By keeping them at the wharves they invariably get it; in fact, they always get it.

2275. Sir *William Miles.*] All the sheep that are imported are not consumed in London, are they?—Not all.

2276. Country butchers come and take off a certain quantity of your foreign stock?—Certainly, they do.

2277. If scab was struck out, would not these foreign sheep, if scabby, and taken along by the trucks, considerably increase the very contagious nature of scab; would they not be likely for several days to affect any sheep that might be put in the same trucks?—They might do so, but I believe there are comparatively very few foreign sheep sold to go into the country.

2278. Colonel *Barttelot.*] Do you not think that if the steamers in which these cattle were imported were properly cleansed that that would have a very beneficial effect?—Yes. I am a steam-ship proprietor myself, and we use all practical precautions. In fact, we always have the steamers cleaned every time after arrival.

2279. Do you think the use of any disinfecting fluid, mixed with water, would be of any use or not?—I am not prepared to say.

2280. Chloride of lime, for instance?—I think it might be very beneficial.

2281. Do you not think that the principal part of the foot and mouth disease is propagated by the dirt in the holds of the ships?—No, I do not think that altogether, because I think that it is originated from the cattle being exposed to cold and fatigue. I do not care how good they are, if you take any cattle in England away from their homes, move them about, either on an open

Mr. *J. Hönck.*
10 June 1864.

road or in railway trucks, exposed to changes of heat and cold, they will get the foot and mouth complaint.

2282. That I do not dispute for a moment; but what I mean is this, that having brought over a cargo, with the foot and mouth disease upon them, if that ship is not properly cleansed, would not the next lot that come be certain to catch it?—I have no doubt of it, if the ship was not properly cleansed.

2283. It is admitted it is not a dangerous disease, and one which I believe ought not to remain in this Bill?—Yes.

2284. But at the same time proper precautions might be taken, which might prevent a great deal of it?—Yes.

2285. Mr. *Algernon Egerton.*] Cattle are usually brought over on the upper deck, are they not?—No, they are brought on the main deck, and the lower deck. They bring whole ship-loads of them.

2286. I have been on board a Hull steamer full of cattle on the upper deck?—Yes.

2287. It is much easier to cleanse an upper deck than a main deck, of course?—Yes.

2288. Do you import for the London market into other ports besides the Port of London?—No other ports, except Southampton.

2289. Have you suffered any loss from deterioration or disease propagated amongst the cattle between Southampton and London?—I have not.

2290. Then you cannot offer any opinion on the Cattle Diseases Prevention Bill, in regard to the cleansing of trucks?—I think there would be no objection to use proper precaution. At the same time I do not think it would prevent the cattle having the foot and mouth complaint.

2291. *Chairman.*] Have you any other observation to make respecting the Cattle Importation Bill?—No.

2292. I would ask you one question with regard to the proposed clause, 6 A; I presume you do not mean by that clause that the examination should take place at night, in the dark?—It would be very desirable to have the hours of examination extended. For instance, if a vessel arrives late, we might say at dusk, I do not see why the examination should not take place in cases where they would otherwise miss the market.

2293. For example: if a vessel comes in on a Wednesday night, would there be time to examine the beasts, and send them up on the Thursday morning now?—There would now, when the mornings are light, and the inspectors can see early, at the hour of six, we may say; but in the short days of winter and autumn it would not be so, because it is the rule of the inspectors that they do not examine them till daylight.

2294. Do you think that any efficient inspection could take place, except at daylight?—I believe so.

Mr. William Simmonds, M.R.C.V.S., called in; and Examined.

Mr. *W. Simmonds,* M.R.C.V.S.

2295. *Chairman.*] What position do you occupy?—Veterinary Inspector to Her Majesty's Customs.

2296. Are you a member of the Royal Veterinary College?—Yes.

2297. Where do you inspect?—Chiefly at Blackwall.

2298. For how long have you been an inspector?—Nineteen years last March.

2299. Under whose orders do you act?—Under the Orders in Council.

2300. Of the Privy Council?—Yes.

2301. Can you give to the Committee any statistical account of the number of beasts of all sorts imported into this country since 1843?—This includes the United Kingdom from 1842 to 1863. It is the total of oxen, bulls, calves, sheep, lambs, and pigs.

2302. Has the number increased or decreased?—Increased.

2303. What are the numbers in 1842?—3,156 oxen and bulls, 1,038 cows, 70 calves, 634 sheep, 10 lambs, 410 pigs.

2304. What are the numbers in 1852?—40,533 oxen and bulls, 25,038 cows, 27,490 calves, 217,694 sheep, 12,343 lambs, and 10,524 pigs.

2305. In the interval between 1842 and 1852 the importation had become free?—Just so.

2306. What were the numbers for the last year, 1863?—95,656 oxen and bulls, 10,997 cows, 4,125 calves, 402,609 sheep, and 28,179 lambs, and 27,127 pigs.

2307. Has that increase, speaking generally, been progressive from year to year?—Every year; the most we have had in 1863 being by some thousands.

2308. Has the main part of these importations come to the Port of London?—The chief part.

2309. Have you got a return of the numbers at the Port of London?—Yes; from the year 1859.

2310. What are the numbers in the last year, 1863?—76,968 beasts; that is, the oxen, bulls, and cows.

2311. That would be two-thirds of the whole number imported into the United Kingdom?—More than that; more than three parts of them.

2312. Sheep?—341,408.

2313. So that the main part of the sheep imported into the United Kingdom came to the Port of London?—Yes; and also the main of the beasts, calves, and pigs. The number of calves in 1863 were 31,414, and pigs, 23,555; that is into the Port of London.

2314. Can you tell the Committee whether the general character and condition of the animals imported has improved or not?—I rather think it has improved.

2315. The sheep, for instance, are good fat sheep now sent to the London market from abroad?—They are very good.

2316. Have you ever had any orders from the Privy Council to prevent the importation of animals from any part of the Continent?—From the first time of my appointment on the 17th February 1845.

2317. In what year was there an entire prohibition of importations from certain ports?—I can hardly say. I think it was in 1856 [4 April 1857. No. 35—1857].

2318. It was to guard against what diseases?—To guard against all infectious or contagious diseases.

2319. I mean the actual prohibition?—The prohibition was as to the murrain.

2320. Rinder-pest?—Yes.

2321. Was it successful in preventing any outbreak in this country?—I have only had one case, and

and that was a case some years ago, with symptoms of rinder-pest; that is the only case I have had.

2322. Can you inform the Committee what quantity of beasts have been detained and condemned at the Port of London?—Since what year?

2323. Take, for example, the last year, 1863?—Detained, slaughtered, and also condemned?

2324. Yes; first give the numbers detained; secondly, the numbers slaughtered; and thirdly, the number of carcasses of beasts, which, having been slaughtered, were found unfit for human food?—All cases of detention have been slaughtered. The number of detained animals in the year 1863 was, 992 beasts, 126 calves, 4,398 sheep, and 550 pigs.

2325. Out of that number how many have turned out unfit for human food?—299 beasts, 51 calves, 607 sheep, and 220 pigs.

2326. Can you tell the Committee, generally, with what diseases these animals were affected?—Some with pleuro-pneumonia, some were rotten with the scab, others with scarlatina, as I call it myself (I think Professor Gamgee calls it hog cholera), which died suddenly; and others that have died on the voyage, through suffocation.

2327. None of the animals condemned as unfit for human food were suffering from the foot and mouth disease?—Some few.

2328. A very few?—Very few; it is only when they are suffocated previous to being killed.

2329. It would only be in the case of an animal dying a natural death of foot and mouth disease, that its flesh would be unfit for human food?—I cannot say that; I have seen cases that, had it not been for my being on the spot at the time and advising the importers to have slaughtered the cattle, there would have been several instances of death by eczema, or foot and mouth disease. I have seen the tongues out of their mouths, and suffocation would have taken place in several instances. Therefore, having been there, I have advised them, for their own benefit, to kill them, and they have generally taken my advice.

2330. Has the foot and mouth disease increased or diminished of late years?—I think it has diminished, as far as the foreign importation goes; we only have it at one particular port.

2331. Which port does it come from?—That is from Hamburg; the Prussian beasts.

2332. Is that in consequence of greater carelessness on the part of the exporters?—I think it is the carelessness of the exporters; it is the carelessness of the shippers in exporting the disease.

2333. It has been proposed to exclude the foot and mouth disease from the Custom House inspection of animals exported from abroad; what is your opinion as to that?—My opinion is that the foot and mouth disease being highly contagious, it ought not to be left out, or we should have much more disease brought than what is raging here now. The disease, as I see it, is very virulent indeed; the feet are nearly off, and the animal is exhausted and cannot stand It is fearful to be an inspector, and see things coming in that state.

2334. You think that leaving out foot and mouth disease from this Bill would very much increase the importation of diseased cattle into this country?—I think so.

2335. With a view to prevent the spread of infection from cattle to cattle, you would prohibit the importation of these beasts?—I would not prohibit the importation of the beasts; I would, perhaps, be a little more lenient than we are now at the present time. I think if a certain cargo of beasts arrived in this port, instead of the Order in Council to detain the whole, I would detain those that actually had the disease, and have them slaughtered, and allow the others to go on; that is my opinion.

2336. At present you are instructed to detain the whole, even if a few animals only are affected?—Yes; if there are only two or three affected I detain the whole.

2337. Those are your instructions?—Yes, under the Order in Council.

2338. You think that might with propriety be modified, and that detention should be confined to the beasts actually affected with the disease?—I think so.

2339. It has also been suggested that scab should be excluded from that Bill?—I think that disease is just as bad as eczema.

2340. Have you seen it very prevalent in sheep imported from abroad?—Not very prevalent. There were some cases from Tonning last year, where we stopped 200 or 300 of them, but we do not find it very prevalent. We find that the sheep from the Continent are, generally speaking, very healthy.

2341. Scab is a disease which you can tell at once?—Yes.

2342. And which the exporter must be aware of when the sheep are put on board the ship?—I should think so.

2343. Therefore the fact of your having an inspection would very much prevent the exportation of scabby sheep?—Yes, we have but little disease from any other port than Hamburg, and those are the Prussian beasts. From Rotterdam we have a few cases of pleuro-pneumonia, but seldom. All other parts, Spain in particular, are very healthy; and Oporto, in Portugal, is very healthy. The chief part of the disease is from Hamburg.

2344. Are the sheep imported into the Port of London all of them fat sheep?—No, certainly not.

2345. Therefore, to allow the importation of store sheep with scab might very probably spread the disease largely in this country?—It is sure to do so.

2346. It has been proposed that there should be a Schedule to the Bill, and therefore that the Bill should be confined to certain diseases. Do you think that is practicable in regard to the inspection of beasts imported into this country?—I think so. It has been so up to the present time.

2347. Have you now a list of diseases which you are confined to?—All infectious and contagious diseases we detain.

2348. You have no list of diseases?—No.

2349. The Schedule proposed here only contains these diseases: glanders, steppe-murrain, pleuro-pneumonia, sheep-pox, and measles. Are there not many other diseases which render beasts unfit for human food, and which therefore should be specified, if a Schedule is to be added to this Bill. For instance, that does not include typhus

Mr. *W. Simmonds*, M.R.C.V.S.

10 June 1864.

fever or scarlet fever in pigs?—We have scarlet fever and typhus fever, but very few.

2350. Still it would be wrong that you should not have the power of stopping a beast affected with that disease?—I think so. It is the only mode of preventing disease getting into the country.

2351. Your duty is not only to prevent the spread of disease among cattle, but for preventing the sale of cattle unfit for human food in this country?—I think my duty is to prevent disease. If I find disease, they are slaughtered, and then I make a *post-mortem* examination to see whether they are fit for consumption.

2352. In any case where you saw a beast unfit for human food you would kill it?—It is already killed; we condemn it, and apply certain acids to destroy the meat.

2353. If you were limited to a certain list of diseases there might frequently be cases of beasts unfit for human food that you would have no power to stop?—Yes.

2354. Have you ever had any cases of the carbuncular disease, anthrax, in cattle?—Yes, several times.

2355. Do you think from your general knowledge that pleuro-pneunomia is decreasing in this country?—As far as my practical knowledge goes, I say yes, I think it has decreased.

2356. Have you a large private practice as well as your official duty?—A very large private practice.

2357. Do you think that the character of pleuro-pneumonia is more mild than it was?—I think it is milder than it was in former years.

2358. You have heard the evidence given by Mr. Hönck?—Yes.

2359. Do you see any objection to the appointment of a referee. Supposing you and the importer have a difference as to the condemnation of the animal, that referee being a veterinary surgeon, and his decision to be final as between you?—I think there is no objection to a referee being appointed; but I think that referee should be an independent veterinary surgeon, and that he should be appointed by an Order in Council, not by the Veterinary College, because I am satisfied that there is only one man in the college, and that is Professor Simonds. If you put in the Veterinary College, we shall have only that individual to deal with.

2360. If Professor Simonds was away there would be a difficulty?—Not only so, but in several instances he has been called in, and I believe that we have proved to the Commissioners of Customs that, in one or two instances, he has been decidedly wrong. He has given his opinion that there has been nothing the matter with the animal, and we have proved that there has been. Therefore I think we should have a man that is actually in practice, of whom you can find many in the country, as that referee.

2361. There have been differences of opinion?—I think there would be great differences of opinion.

2362. You have no objection to the principle of a reference?—Not at all.

2363. I should like to ask you a question respecting a case which was mentioned before the Committee. It was stated before the Committee that, in March 1859, 104 head of cattle arrived here by a vessel called the "Leo," that those animals were detained by the inspectors of the Customs under the belief that they were the subjects of the foot and mouth disease. An examination of those animals by the importers led to a different opinion being arrived at. Professor Simonds was sent for to examine those animals. He did so, and pronounced them to be perfectly free from disease of the kind. The consequence was, that as the Customs inspectors would not allow the animals to be removed from the wharf, the importers had the animals put on board the vessel again; they were carried over to Holland; they were re-shipped, sent into Hull, and there was no difficulty experienced in passing them at Hull; that they came by railway into London, and were sold in the London market. Have you any knowledge of that case?—I have a knowledge of the case perfectly; but I have no knowledge of them being returned to Hull, and another thing, I think that is not correct. Of course it was strictly investigated before the Commissioners of Customs, and our first report to the Commissioners of Customs, and I believe all the particulars are in these papers. The papers were sent to the War Office some two or three years ago. Certain diseases had broken out, and interfered with the meat, and so on, and they sent to the Customs for certain information upon this particular point, and the papers have been returned. There were the full particulars of several of the examining officers, and one of the out-door officers who was in charge of the beasts. One of the beasts, as to which Professor Simonds gave his opinion that there was nothing the matter, happened to die in less than four or five hours afterwards. I had no opportunity of making a *post-mortem* examination of that bullock. They got the sanction of the Commissioners of Customs; they re-shipped the live ones, and took the dead one away with them; but I took the precautionary measure of marking all those beasts, before they left the wharf, with my private mark, to ascertain whether any of them came back to our port. I can vouch that they never came back to the Port of London. As to Hull, I cannot speak. I believe it not to be a fact.

2364. You think the beasts were properly stopped?—I am positive of it. There is the evidence in these papers of the captain of one of the vessels. There was also a passenger who spoke to one of the examining officers, saying that he was very pleased that the Custom-house authorities took the preventive measures of detaining diseased cattle. He would not give his name, but the proper authority signed those papers. The same with the "Adonis," a ship from Oporto. That was proved. About the same time several other vessels arrived in the port with the same disease—the "Rechid," with 280 odd beasts, and I think the "Planet," and several about that time arrived with the disease, and were stopped.

2365. There was a statement also made to the Committee of a case that happened at Leith. Have you any knowledge of that case?—No, I think not.

2366. Do you conceive that any relaxation of the Orders of the Privy Council in respect to the examination other than that which you have suggested, of only detaining the animals absolutely affected with certain diseases, would be likely to increase the quantity of diseased cattle imported into England?—Take off the restriction

tion by having the whole of them detained and slaughtered, and having only those that are actually diseased.

2367. Yes?—No, I think not. I do not think it would increase the disease at all.

2368. Do you think it is the interest of importers of cattle to this country to import sound beasts or diseased beasts?—I rather think that it is to their benefit to import or export from Hamburg sometimes unhealthy cattle. Knowing at the time that we are strict and rigid in our examination of all beasts, still it must be a known fact that at the time of the animals leaving Hamburg they must have been in a very bad state then. I know that they must buy their things much cheaper, coming from a diseased district, and by that means they send them over. I know the disease must be there.

2369. Why should an importer get more profit from a diseased beast than from a sound one?—Because he gets them cheaper.

2370. Would not they sell them cheaper?—No, because the beasts with foot and mouth disease are, generally speaking, in good condition; fat beasts.

2371. If those beasts were in that condition, and fat beasts, what advantage would there be in stopping their importation to London?—They so soon fall away; and also to prevent disease as much as possible.

2372. If they are taken to a fat market, surely they would only be sold to kill, and the beasts that would be alongside of them would only be sold to kill?—You cannot say that, because there are some stores amongst the beasts in the Metropolitan Market, and all other markets; so that, it being highly infectious, others may take it.

2373. The danger of infection is reduced to the communication by the fat beasts in the Metropolitan Market to the store beasts in the same market?—Yes, it would be communicated to the store beasts in the same market.

2374. If it is the opinion of the principal parties interested in buying sound beasts, graziers and others, that it is better there should be no restriction on the sale of beasts in store markets with foot and mouth disease, do you conceive that it would be right to subject the foreigner to any restrictions with respect to the sale of those beasts?—To penalties?

2375. No. If the people who were interested and whose interest it is to buy beasts in the market, do not object to beasts with foot and mouth disease being sold in the store markets, beasts with foot and mouth disease coming from England, Scotland, and Ireland, do you conceive it is fair to prevent beasts with that disease being sold in markets because they come from abroad?—No; I think that the English ought to be inspected as well as the foreign ones.

2376. There should be the same measure meted to both?—I think so; but it would be very hard to carry it out. There is no doubt about that.

2377. As far as you are personally concerned, it would very much diminish your trouble if you had not to stop beasts with foot and mouth disease?—As far as I am concerned, I should be very happy to have any of the diseases thrown from the Schedule, because I should have less to do, less trouble, and less anxiety.

2378. Have you seen beasts imported from Ireland or Scotland at Blackwall?—Not at Blackwall, but at other places.

2379. Both from Ireland and Scotland?—Yes, more particularly pigs from Scotland.

2380. Have you noticed the condition of them?—I have.

2381. Have you seen any of them diseased?—I have.

2382. Do you think that any inspection should be extended to those animals?—It would be advisable to do so if it could practically be done.

2383. Do you think it would be very difficult?—I think it would be very difficult. I do not think we should have much difficulty with the Irish, because they would come by sea; but the Scotch, I think, we should have great difficulty with, because a great part of them come by rail.

2384. Do you conceive that any regulations for the inspection of those animals would tend to restrict the importation by sea a good deal from Scotland, and to send them by land?—I think it would throw in the chance to the railways; it would be a monopoly of the railways; it would take away by sea and send them by land.

2385. It would rather tend to increase the cost of carriage, by diminishing competition?—I think so.

2386. Have you any other remarks to make concerning this Importation Bill?—No.

2387. Mr. *Thompson.*] You say that the fat cattle sent to market are put side by side with the store cattle in the Metropolitan Market?—Yes.

2388. Besides that, are there not fat cattle frequently that are unsold, and that are turned out from the market?—If not sold in the market, most likely they are turned out for others.

2389. There are every morning a considerable number not sold, which are kept over for the following morning's market?—Yes.

2390. So that it would only be communicating infection to a few store beasts in the fat market to put in fat cattle which happened to be near them, and which were kept for another day's sale?—No doubt.

2391. Your opinion, from your long experience, is, that if foot and mouth disease were excepted from the operation of the present law it would very much increase the importation of cattle with foot and mouth disease?—I am positive of it.

2392. Is it within your knowledge that, in foreign markets, there are strict regulations against the sale of these diseased cattle, and therefore, if there was no prohibition here they would be largely brought in?—It is, from my own knowledge.

2393. Mr. *Holland.*] With regard to the case of the "Leo." We have it in evidence that an examination took place by Professor Simonds on that occasion?—My colleague, Mr. Holmans, examined the "Leo," and I then examined afterwards.

2394. Were there other examinations by other veterinary surgeons?—I believe there were. I believe by several.

2395. Do you know how many?—I should think somewhere about six or seven.

2396. The custom is to send in certificates on such occasions?—Yes.

2397. Were they sent in on that occasion?—I do not know.

2398. Colonel *Bartlelot.*] I think you said that there were a great quantity of both store cattle and store sheep imported into this country?—Yes.

Mr. W. Simmonds, M.R.C.V.S.

10 June 1864.

2399. Can you tell me where they go?—To all parts.

2400. Store sheep?—Yes, to all parts.

2401. Can you give me the quantity of store cattle and store sheep that are imported into this country?—I should think some thousands; I cannot say. I only deal with the disease.

2402. When imported where are they for sale?—In the Metropolitan Market and in many other markets.

2403. What Metropolitan market?—The meat market of London.

2404. Copenhagen Fields?—Yes.

2405. Daily?—Twice a week.

2406. Are there any other markets to which they are imported; sheep particularly?—They are imported to the different ports, but they are driven to the markets.

2407. You cannot tell me at all the number?—No, I cannot; but I should say many thousands in the course of the year.

2408. Sir *Thomas Burke.*] Have you many milch cows come over?—A great many.

2409. Where from chiefly?—From Rotterdam.

2410. Have you seen many of them with the foot and mouth disease?—No, they generally come over pretty healthy.

2411. I suppose the dealers are very careful not to bring them over with the foot and mouth disease?—Yes; and the cow-keepers are very careful in buying such things.

2412. They would not be worth much?—No. The cow-keepers come down to the wharves purposely, so that they shall not go to any markets, and they will give more on the wharves than they will in the markets.

2413. If the foot and mouth disease was excepted from this Bill, do you think that many milch cows would come to this country suffering from foot and mouth disease?—I think it is very likely. I think it would be a curse to the country if you took away this disease from the Bill. I think it is a most formidable disease. I think it is quite as bad as small-pox and scab, and worse than pleuro-pneumonia, according to my own practical knowledge.

2414. Have you ever tried to cure the foot and mouth disease?—It is easily cured; but not in such instances as I have known, with their feet off. It would take three or four months to cure them.

Mr. John Giblett, called in; and Examined.

Mr. J. Giblett.

2415. *Chairman.*] You are a Cattle Salesman, I believe?—Yes.

2416. For how long have you sold cattle in the London markets?—For nearly 40 years. Certainly more than 37 years.

2417. Is your business with the home trade, or the foreign trade, or both?—With both, to a very considerable extent.

2418. What number of beasts pass through your hands in the course of the year?—About 14,000, taking it on an average, for many years together; from 12,000 to 14,000.

2419. Are all of them sold at Copenhagen Fields Market, or the main part of them?—Yes. Some 15 or 20 years ago I used to sell a quantity at Southall, about 10 miles from here, but since then they have all been sold at Smithfield and at the Metropolitan Cattle Market.

2420. Are the beasts you have sold all fat beasts, or are they store beasts as well?—They are generally fat beasts; but in sending fat beasts, there are many sent in a lean condition, which are sometimes sold for stores.

2421. For example, have you ever any commissions to buy store beasts in the Metropolitan Market to send down the country?—Yes, I have had it, but very seldom, indeed.

2422. You know that market pretty well, I suppose?—Yes; I have never ceased attending that market for 37 years. I have never missed one Monday but on two occasions, when it was necessary for me to travel to Scotland.

2423. Are there many store beasts imported from abroad, and brought to that market?—There are some come in a very lean condition that are sold for stores.

2424. Sheep, as well as calves?—Very few sheep are sold for stores. Many of them come in in a very lean condition, and, as bearing on the question you asked the last witness, I may say they are sold certainly to go a distance in the country; to contractors very often.

2425. Who fat them?—No, who kill them.

2426. With respect to the Cattle Importation Bill, upon which I was examining the last witness, do you concur in the opinion that the foot and mouth disease should not be a reason for stopping beasts imported from abroad?—I have had a life's experience on the subject, and I know that the foot and mouth complaint was very prevalent long before there were any cattle imported into England at all. I have seen the operation of it every day, and legislation on the subject is perfectly futile, I am convinced, by my practical experience; and I have come to the conclusion that practical experience will arrive at as right conclusions as any medical testimony can give. I believe it to be an atmospherical influence. I believe that many animals are liable to the foot and mouth complaint, which is neither more nor less than fever, which is engendered from the beast having travelled and exposed, as each gentleman here no doubt is aware, sometimes 48 hours at a time by railway, to be shunted off to allow other carriages to pass, coming out of warm sheds, fed by artificial food, that is of a highly heating character, and exposed to variations of the atmosphere. I believe that alone, irrespective of any disease, would have the effect of producing the foot and mouth complaint; and it is a very great blessing that it does show itself, according to my judgment, in the extremities, instead of attacking the vital parts. The complaint passes off after it reaches the extremities. I never knew an animal die with the foot and mouth complaint in my life. It is true that I have had a great many killed that were in a bad state, whereas, if I had had to keep them, they might have died.

2427. I suppose it diminishes the value of a fat beast to some extent, if it has the foot and mouth disease?—I do not at all consider that it deteriorates the quality of the food; it does to a very trifling extent diminish the value.

2428. How

2428. How much less would a butcher give for a fat ox if it had the foot and mouth disease?—If he was going to kill it immediately, certainly 10 *s.* would be the extent of the difference.

2429. It would depend on the time the beast had had the disease, and the condition in which the beast was?—If I had a very good ox in my possession with the foot and mouth complaint, and one that was equally as good without the foot and mouth complaint, a butcher would give nearly as much for the one with the foot and mouth disease, certainly within 10 *s.*, if it were convenient for him to kill the animal immediately and not have occasion for it to travel; if he were going to keep the animal for one, two, or three days, he would know that the one that is perfectly sound would be better.

2430. Then you would decidedly exclude the foot and mouth disease from both Bills?—I feel it my duty to represent to this Committee, that I consider that the importers have been used very unfairly by an Order in Council; while I have known that one-third of the whole supply in England in the cattle market has had the foot and mouth complaint, yet I have also known that the inspectors here have stopped a cargo of 200 Oporto oxen, because two or three oxen out of that number had the appearance of having the foot and mouth complaint; and I do not believe that they had the foot and mouth complaint; they have stopped the whole of them, and ordered them to be killed, at a loss of certainly 3 *l.* a head. It is for your determination; but, if that is to be the case, you raise the price of meat enormously.

2431. That is at the same time when, at the Metropolitan Market, large quantities of beasts from England had this very disease?—Yes, when one-third or one-fourth of the whole number of beasts in the Metropolitan Market had the disease at that particular time.

2432. So that you would think it is unfair to treat the foreigner in a different way to what you treat the English farmer?—I think most unjust to the farmer and unfair to the British people, because by that means you drive that food into other countries, and to the manufactories there, because the manufacturers labourers now, whether in Scotland, Ireland, or elsewhere, eat much more meat than they used to, and you give them the opportunity of buying their meat at much less money abroad if you were to make any restrictions about sending the meat here. Meat is now at an enormous price, and were it not for the foreigners certainly it would be nearly twice as high, or, at least, an immense price.

2433. With regard to the provisions in the Bill as to pleuro-pneumonia, do you object to the penalty which is put upon persons for sending beasts with pleuro-pneumonia into markets?—No, certainly not; I would be the first to hold up my hand in favour of a penalty being inflicted on anybody who sends a bullock, either to a fat market or a store market, in a very bad state. There are cases when there are symptoms of incipient disease, the animal having the lung complaint to a small extent, which are difficult to detect, and it may not be dangerous. For instance, I have sold beasts, that I have afterwards understood had the lung complaint, at 32 *l.* and 33 *l.* each, and the food considered to be perfectly good; but I have seen beasts in a very lean and a very bad condition exhibited for sale, when I should have liked to have seen a penalty inflicted.

2434. At present, I think, in the Metropolitan Market, the inspector or clerk of the market has power to kill and dispose of any beasts suffering from pleuro-pneumonia?—Yes.

2435. Do you approve of that?—Yes.

2436. Mr. *Cox.*] In any stage of the disease?—No. He has the power, in the case of an animal in a very bad state, to cause it to be killed, and I should think that a very wholesome and proper power. Even if it were in rather a good condition, if it were suspicious, he might then order it to be killed and sent to a certain slaughter-house, and that to be subject to the decision of the meat inspector as to its being fit for human food or not.

2437. *Chairman.*] If this clause, putting a penalty on sending beasts with pleuro-pneumonia into the market passed into law, it would not be operative excepting the beast was so far gone as to be palpably the subject of that disease; because, putting aside the question of inspection, the person who would bring the complaint, a man having cattle in the neighbourhood, must see that the animal had pleuro-pneumonia, otherwise he could not bring the case forward?—I think that there ought to be a penalty in all bad cases; but I think, at the commencement of a disease, it is so difficult to detect, that a grazier may send his beasts away without knowing it, and beasts that are worth 30 *l.* each. I do not in the least believe that the meat is in the slightest degree injurious, where it is only the commencement of the disease. In direct answer to your question, I may say that, in a bad case, I think there ought to be a public inspector, and a power given to the inspector to have them killed.

2438. The inspector, or any authority of the market?—Yes. There ought to be an appeal to a veterinary surgeon. I am content with an appeal to the Veterinary College, myself, as to those cases.

2439. What is your opinion with respect to scab. Would you put a penalty on sending sheep with scab into the market?—My attention more particularly, especially for many years past, has been directed to beasts; but I should be very sorry to see a stringent law preventing sheep with scab, except in very bad cases. I have known sheep worth 3 *l.* each have the scab, and I think, if a penalty was to be levied on persons sending such sheep into market, it would be very serious.

2440. Would those sheep which you have seen be from abroad or at home?—Principally from home; I have seen a great many, and I have had a great many.

2441. From abroad?—Yes, many from abroad also, some years since.

2442. The outside loss which the importer would suffer, would be that the sheep with scab would be killed at Blackwall, instead of being sent to Copenhagen Fields?—I should particularly wish that such sheep should be killed, but not that the whole cargo which came with such sheep should be stopped.

2443. You have no objection to killing the affected sheep as long as the others might pass?—Certainly not; I would not allow meat to be passed until it came under the notice of the inspector.

Mr. *J. Giblett.*

10 June 1864.

spector. I have sold a million and a half sheep in my time.

2444. You would not allow sheep actually affected with scab to be sent into the market?—That is rather a difficult question to answer, without I explain my views. There are very bad cases of scab, which I would not allow to be sent into the market at all, but there are other cases which might be pronounced as scab, where there is a little irritation in the skin. You may see it the size of a shilling. I think to attach a penalty to sheep having scab in its skin of that character would be very improper. In seriously bad cases, I think that scab should not be allowed to be sent into the market; but in cases such as I have described, where the skin is slightly affected, I think it would be cruel to inflict a penalty on a sheep worth 3 *l.*

2445. It would be a question of the degree of the disease?—I think so entirely, and so I think as respects the lung disease. That is my practical conviction of what is proper.

2446. With regard to sheep sent to market to be sold as store sheep, I suppose you would exclude from those any sheep with scab?—Certainly, I would.

2447. Mr. *Cox.*] In any stage?—In any stage. If I may be allowed to make the observation, I may say that any legislation about the foot and mouth complaint would be perfectly impracticable as regards England. I have known one-third of the whole supply of immense fairs to be affected with it; and I have known that many of the persons going to these fairs would prefer buying them with the foot and mouth complaint than buying those that had not the foot and mouth complaint, for these reasons. They buy them at a little less price (say a few shillings each), 10 *s.* or 15 *s.* less. If they had bought those that were perfectly sound, by the time that they travelled them home, they would be sure to have the foot and mouth complaint. I am often employed to buy beasts. I do not mind buying them with the foot and mouth complaint. I know the effect of it. It is merely a passing evil. I believe it to be atmospheric influence, the same as vegetation is affected; the same as potatoes. I think it is improper to call it disease.

2448. *Chairman.*] Do you consider that the restrictions in respect to small-pox are proper and right?—Certainly; the stronger you make them the better.

2449. With respect to measles in pigs, is that a complaint which can be detected by examination?—I never saw a case, neither do I understand pigs in any way.

2450. Have you any other observation to make respecting either of the Bills?—I have heard many exaggerated statements made, which, I think, would be scouted by practical men. If you want evidence on the subject, you can have practical men, the best authorities in England, who would ridicule much of the evidence that is given. For my own part, I do not attach the importance to the veterinary evidence on the subject that I do to practical experience; for I find, if you take six, you will find three diametrically opposite to the other three. These are my convictions, and I think that we practical men, from our daily observation, know a great deal more on the subject than they do. I would not speak thus boldly if I did not feel fortified by a conviction of the truth. I can prove the foot and mouth complaint was very much worse before one foreign oxen was brought into England in 1839. I then sold a large quantity of oxen. I have known that 40 or 50 were killed in a day in the market; and the slaughter-houses then were very close to Smithfield. They could not travel a few hundred yards; they were obliged to be killed in the market, and trucked away. I believe it is dying out, and becoming far less frequent than it used to be, the same as the disease in potatoes; and most distinctly do I believe it to be an atmospheric influence. I certainly think it is contagious and infectious. I am convinced it does not damage the food, nor render it at all unwholesome. In fact, I have seen the carcasses of a great many beasts that have been killed in a bad state with the foot and mouth complaint, and I never saw a beast more clear; so I consider the foot and mouth complaint is in a great measure an emittence of the evil. When once it takes the extremities it prevents its attacking any vital part, and it becomes a passing evil. I think I have most distinctly stated that I consider importers most unjustly treated. It is my duty to claim on the part of those who consign large quantities of cattle to me from abroad that they should be treated fairly, and they ask and expect to have their Bill assimilated to the English Bill. We think less than that would be unfair to the public at large: and that the particular diseases against which inspectors could act should be duly scheduled in the Importation Bill.

2451. With respect to that point, you perceive that it would be impossible altogether to assimilate the two Bills, because the English Parliament has no authority in a foreign country; and, therefore, the authority that the Queen in Council would be able to exercise in England, of placing any part of the country in quarantine where a highly infectious disease amongst cattle has been proved to exist cannot be exercised by her abroad in the same way. The penalties which, by present legislation, are put in action in certain cases with respect to sheep-pox and glanders in this country, cannot be enforced abroad; you perceive that putting it precisely on a similar footing is impossible?—Yes; I meant particularly with regard to the foot and mouth complaints. In all these particular cases that you have enumerated, I would make the law as stringent as possible.

2452. Therefore, when you say precisely on the same footing, it is simply that the foot and mouth disease should be excluded from the Importation Bill; that is the main point?—Precisely so. I have lately been in the habit of having 80 or 100 foreign oxen at a time, that fetch 24 *l.* a-piece, where the average price of fat English oxen in the fall of the year has been 8 *l.* a-piece less. I have seen much more of the foot and mouth complaint from Scotland than I ever saw from abroad. I think abroad they are very much more free from the foot and mouth complaint than the English, Irish, and Scotch. I have a very large quantity of good Scotch oxen, so that it comes under my hands every day, and I see the action of it.

2453. Mr. *Leslie.*] Where did those cattle which were detained come to, of which only a few were infected with the disease?—They came to one of the wharves here.

2454. The whole of them?—Yes.

2455. Do you deprecate such a system?—I think it most unjust. It is exactly that which I feel

feel it my duty to protest against the fairness of, that under an Order in Council, which is very appropriate indeed in itself, to prevent particular diseases that may arise (and there may be some extraordinary diseases arise for which an Order in Council is a necessary protection), but relative to the foot and mouth complaint, we have been suffering exclusively under directions given by an Order in Council, as you heard from the inspector.

2456. Do you consider it would be perfectly safe and proper to land such cattle as appeared to be sound, retaining in quarantine those that were affected?—Yes, those that were highly affected with the foot and mouth complaint, whether they arrived at the wharves, or by the railway from Scotland, or whether they arrived from abroad, I would not allow the beast to go away in a very bad state, with their hoofs cracked, and so on; but in a rather bad state, in a state that is bad, and yet not very bad, I would have them conveyed away in carriages.

2457. My question was, do you consider it perfectly safe to land the others?—Certainly; it would stop every fair in England if this Bill were carried out in the way in which it is laid before us. I have been a great deal concerned with the Smithfield Agricultural Show, and it would stop our show. We had 80 oxen in the Agricultural Hall last Christmas affected with the foot and mouth complaint. It would stop the show at Battersea; there were more than 150 cattle affected with the foot and mouth complaint there. I am at a loss to express myself; but, in fact, the term ridiculous arises in my mind every time I read the clauses that are proposed.

2458. Mr. *Thompson.*] I think you stated that a fat ox that had the foot and mouth disease was just as good, and worth as much money, as one that had not this disease?—The meat is worth as much money.

2459. As much to the butcher, in fact?—Yes.

2460. You mean, of course, on the premises of the farmer?—I was alluding then to the markets as a seller, and I qualified that by saying, "nearly as much," about 10*s.* a-piece less.

2461. In your great experience, you must, of course, have often seen cattle that have been driven with the foot and mouth disease, that have come with their hoofs off, and their tongues in such a state that they could not eat?—I have seen them driven in such a state.

2462. In fact, the whole animal was in a state of great fever?—I have seen them so, often.

2463. When in that state, you would not say that an animal was in a fit state for food, or anything approaching the value of an animal not affected with it?—Yes; I would say "give it proper rest," and it would be in a fit state for food; because I have attempted to show you my belief, which is, that the emittance of the evil at the foot gets rid of the disease to a great extent.

2464. Sir *William Miles.*] The discharge?—Yes, the discharge from the animal cleanses the system.

2465. Mr. *Thompson.*] You say there is a great hardship to importers in detaining the whole cargo, because of some infected beasts being among them?—Yes.

2466. That, I think, is the principal hardship you complain of; if there were some bad cases of disease, and these were stopped, you would not complain of that?—Not at all.

2467. Provided that the sound beasts were not detained at all?—Yes; and I was very pleased to find that the testimony of the last witness, the veterinary inspector, was to that effect; that he thought it would be as well to detain only those beasts that were in a very bad state.

2468. I am now speaking of the foot and mouth disease; if there were bad cases of the foot and mouth disease in such a state as I have described to you, and which you admit you have frequently seen, would you consider it a hardship to the importers to detain these beasts, and have them slaughtered at Blackwall?—No, I should not mind it myself. I should suggest a remedy for that, of course; if the hoof was nearly off, I would have them killed; but if it was only partly cracked, I should suggest they should go away in the vans. They have very little distance to walk (it is an elevation of about 12 inches); they should walk into these vans, and go into the slaughter-house, where they could be properly killed, because the way in which they are obliged to be killed at the wharves augments the loss we have to bear on the part of the foreigners.

2469. You would not complain of their not being allowed to be taken to the markets?—Certainly not, if they are in a very bad state; partially bad I have guarded myself against, because there are so many partially bad which I do not look upon as being a serious matter.

2470. You say there is less foot and mouth disease in beasts imported from the Continent than in those imported from Scotland?—Yes.

2471. Are you not of opinion that that may be in consequence of the regulations which now prevent the importation of diseased cattle with foot and mouth disease from the Continent, and none of these regulations applying to Scotland?—I know we find them more healthful there. In Oporto they do not know what the foot and mouth complaint is.

2472. As to North Germany especially?—There I find, from reports I have received, that they are more healthful, and in Holland particularly.

2473. And in Prussia?—In some parts they are affected with it, but in Holland they are much more free than we are.

2474. Would not the entire removal of any restriction on the importation of animals affected with the foot and mouth disease be likely to lead to a large increase of the importation of such animals from those ports?—It would not be their policy to send them if they know they had the foot and mouth complaint, because there is a very rapid deterioration in the animal, and they are very generally inspected before imported.

2475. But they do send them now, even with the risk of being stopped?—I should think in many cases they have taken it on the voyage. They may have had it in their system, but the voyage has caused it in many cases where the animal has been quite sound and where it has been landed with the foot and mouth complaint. I have often been down to Gravesend to meet the Scotch boats many years since, when the foot and mouth complaint was much worse than it is now. I have seen a large cargo of beasts there in perfect health. I have seen the same beasts landed at the wharves, and I have seen a large proportion of them affected with the foot and mouth complaint; that helps to convince me that it is an atmospherical influence.

Mr. *J. Giblett.*
10 June 1864.

ence. I know that, in a sharp east wind, it is much worse than at any other time. I was in the market yesterday, with a large quantity of beasts, and last Monday there were 6,000, and I was in very active operation; I only saw three with the foot and mouth complaint.

2476. Sir *William Miles.*] I understand you to say that the foot and mouth disease is induced by the atmosphere?—I believe so.

2477. Having been induced by the atmosphere, do you not suppose, after it has invaded a herd of cattle, it becomes contagious?—I believe so, and infectious; I think infectious by being conveyed by the atmosphere, and contagious, that wherever one animal is touched with it, it is likely to give it to another.

2478. Sir *Thomas Burke.*] In case scab should be introduced into the Importation Bill, would you stop a whole cargo of foreign sheep for a few animals?—No. I would stop the bad cases; and I think if importers did send them so it would be by accident, and they would not object to anything of the kind.

2479. Did you hear the inspector say that there were 209 beasts, 50 cows, and 607 sheep condemned?—Yes.

2480. And can you tell us how many of these were damaged by the sea?—No; I cannot tell you the number, but from my continuous observation I believe that a very large number of the whole that were condemned arose from damage by the sea passage. I find that in all cases where my beasts have been condemned and have been obliged to be killed, I hardly ever have a case where the meat is not considered wholesome. The meat is afterwards passed, except where it has been bruised. I have often had my beasts and meat condemned, and very properly and fairly so from their having been damaged by the voyage.

2481. Mr. *Cox.*] I understood you to say that you would not object to the penalty mentioned in the Bill being inflicted on a man who sent an animal with pleuro-pneumonia, or the foot and mouth disease, to a fat market, if it were not in a very bad state?—I would not say the foot and mouth complaint. I did not intend to say I would have any penalty attached to the foot and mouth complaint at all. But, as to the lung disease in a very bad state, I would recommend there should be a penalty.

2482. Under no circumstances would you allow a penalty to be inflicted on a man who sent cattle to market with the foot and mouth disease?—Certainly not.

2483. But you would with pleuro-pneumonia, if in a very bad state?—Yes; and only if in a very bad state.

2484. I think you said you would exclude from a store market animals with pleuro-pneumonia or foot and mouth disease, in any state?—No; not with the foot and mouth disease in any state.

2485. Pleuro-pneumonia in any state?—I think it ought to be punishable for a person to send animals afflicted with the lung complaint in a very bad state into the store market, but not as regards the foot and mouth complaint; because I consider that is a very trifling evil, so very general, that it matters very little, and in the grass season we find it soon passes away.

2486. I understood you to say you would exclude from a store market any cattle with pleuro-pneumonia or foot and mouth disease in any state?—No; I should exclude one-third of the whole country sometimes if I did that.

2487. Would you exclude from a store market sheep afflicted with scab in any state?—Yes, in any state.

2488. I know you have had great experience; have you ever been to Falkirk Tryst?—Yes.

2489. And to Ballinasloe Fair?—Yes.

2490. And to all the great fairs in England?—Yes, and Scotland too.

2491. Suppose any sheep with scab in any state were to be excluded from these markets, how would you manage the necessary inspection for such exclusion?—Looking at the magnitude of these fairs, I know it would be almost inoperative to inspect all the sheep, but where it is possible to detect it, then I would apply it. I would not go to any expensive machinery.

2492. You do not quite follow my question. I am not speaking of them whilst in the market, because I understand you to say that you would exclude them from going into the market. I want you to suggest to the Committee, if you can, a mode by which you could exclude sheep with scab in any state?—The only method that I am aware of would be this, to impose a penalty; whenever the inspectors going about such fairs saw scab in the sheep, that they might inflict the penalty. I can anticipate your difficulty about having a vast number of veterinarians, and then perhaps the people would not believe exactly in their testimony on the subject, although scab is a thing we all agree in.

2493. Then you think it would be an impossibility, from such facts as these, to exclude it by an inspection?—Yes; but I think it is perfectly practicable to fix a penalty where it is sent wilfully, but I would always regulate it in this way, as a matter of inquiry, whether it is with the knowledge of the party sending them, because scab may appear and the parties who sent sheep may be innocent of it. I do not think any man ought to be blamed, or have any penalty inflicted upon him, unless he breaks the law knowingly.

2494. It would be an impossibility to exclude it by examination from the market?—Yes; it would be an impossibility.

2495. But you would inflict a penalty on any man sending sheep with the scab in any state found in a store market, if it could be proved that he knew that they had the scab when he sent them?—Yes, or if he had a fair reason for knowing it; but not without, because that would be against the principle of British legislation. I do pray that you will determine this matter for us, and instead of our being under an Order in Council, that we shall be under the law of England.

Martis, 14° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Beecroft.	Mr. Holland.
Sir Thomas Burke.	Mr. Leader.
Mr. Baring.	Mr. Leslie.
Colonel Barttelot.	Sir William Miles.
Mr. Algernon Egerton.	Mr. Miller.
Lord Naas.	Mr. Alderman Salomons.
Mr. Hodgkinson.	Mr. Thompson.

G. BARING, Esq., IN THE CHAIR.

Mr. THOMAS CONGREVE, called in; and Examined.

Mr. *T. Congreve.* 14 June 1864.

2496. *Chairman.*] I BELIEVE you are one of the Agriculturists whom the Farmers' Club desired to be examined before this Committee?—I happened to be Chairman, and, therefore, by virtue of my office, I suppose was put on the list.

2497. What part of England do you reside in?—Warwickshire, within seven miles of Rugby.

2498. Have you property of your own?—No, I am a renting farmer.

2499. What number of acres do you farm?—A thousand, or over.

2500. Mostly grazing land?—I graze over 300 bullocks.

2501. Have you any sheep?—Yes, 1,300 or 1,400.

2502. Have you seen the Cattle Diseases Prevention Bill which has been referred to us?—Yes.

2503. Have you any observations to make to the Committee with respect to it?—Yes, I most decidedly object to the clause which includes the foot and mouth disease distemper.

2504. The witnesses that we have already examined have stated, that to include the foot and mouth disease in any restrictive measures, would prevent the trade in cattle altogether?—My opinion, decidedly, is so. It would at once do away with all cattle dealers. It would ruin them, and it would tend very much to enhance the price of meat altogether.

2505. With respect to the other diseases mentioned in the Bill, the disease of pleuro-pneumonia, for instance, have you any objection to the clause under which there is a penalty attached to a man, who, knowingly, sends a beast with pleuro-pneumonia into a market?—No; it is a very difficult question to answer. What is to be done with them? They must be made away with somehow or another. When taken with pleuro-pneumonia, it is a fearful disease, and not one in 500 recovers.

2506. Do you think there might be some place set apart in the market for the sale of diseased meat?—I do not know about that; that is a difficult question.

2507. For example, if you have the misfortune to have pleuro-pneumonia, what do you do with your beasts?—It happened to me yesterday morning; I had one fell ill on Saturday morning, and I sent him to a fair and sold him.

2508. Was he fat?—Yes, he was in a very fresh state.

2509. That was as soon as you found that he had the disease?—As soon as I was convinced, I sent him to a fair and sold him.

2510. Suppose there had been a penalty?—Of course, I should not have done so.

2511. You must have sold him to a butcher?—Of course I should.

2512. Do you believe that pleuro-pneumonia is a very catching complaint?—I dare say I shall differ from many that have been examined; I myself do not think so; I have had instances in my farm, one in particular last year, when a bullock was seized as badly with pleuro-pneumonia as ever I saw one; he was one of 12 oxen lying in my yard, and never was divided from them. He was kept in the yard till the middle of May, and then grazed through the whole of the summer; he recovered, and came to London with those cattle a very good bullock; it was a very severe case indeed.

2513. That was pleuro-pneumonia?—It was distinctly pleuro-pneumonia; no doubt of it.

2514. And the others did not take it?—No; they never had the slightest symptom of it.

2515. Is that the only case you can recollect?—No, I have one or two other cases of that sort.

2516. In which you have had a beast with pleuro-pneumonia and the others not affected with it?—Yes; I had a very strong case some years ago, when pleuro-pneumonia was just at its worst; we lost a considerable number of cattle off our farm; that farm runs in a straight line with a farm then in the occupation of Lord Craven; his cattle came down to the drinking places the same as ours did; they smelt each other over the gates and stiles, and he had not a case that year; in two or three years afterwards it was just the reverse; he lost several, and we lost none.

2517. The cattle always mixing up together?—Yes, as far as regards watering places, and gates, and so on; I can hardly think it is so catching as is supposed.

2518. You think there is a difference of opinion about it?—There is a very great difference.

2519. And that there is something to be said in favour of its not being catching?—I think so, from my own experience.

2520. I suppose,

Mr. *T. Congreve.* 14 June 1864.

2520. I suppose, besides selling beasts, you buy beasts?—Yes, I am a grazier, and not a breeder.

2521. What market do you buy your beasts in generally?—In various markets; at Hereford, Shrewsbury, Ludlow, Northampton, Lutterworth, and a great many from Banbury, and from North Wales.

2522. Do you think that there can be any distinction drawn between beasts sold at a store market and beasts sold at a fat market; for example, if beasts are sold at a fat market they are sent there for the sake of being killed; and, therefore, supposing the market to be confined entirely to animals for the butcher, there could be no harm in sending a beast with a catching complaint, because all the rest of the animals being for slaughter, communication could not do any harm?—No.

2523. But in a store market the thing would appear to be different; do you think that any distinction could be drawn in that respect?—As far as regards pleuro-pneumonia, no man in his senses would buy one to graze, of course.

2524. But sending beasts with pleuro-pneumonia to a store market might, supposing the disease to be contagious, as some people assume, spread that disease?—Yes; of course a grazier never sends to a store market; he sends it to a place where he can find a butcher, at the fat market, to be sold; but I do not think it possible to legislate for the foot and mouth distemper.

2525. You see difficulty in legislating for pleuro-pneumonia?—I do; I see considerable difficulty even in legislating for that.

2526. With respect to sheep-pox; did you ever have sheep-pox in your county?—Never.

2527. Do you object to the provisions of the Bill with regard to sheep-pox?—I really know nothing whatever about it; I should think, from what I have heard, that it is very catching, and that it is necessary some stringent regulations should be made that they should not be mixed up with others; but I think it is a difficult thing to do that.

2528. Have you any observations to make respecting scab?—Scab, I unfortunately know a great deal about. I have had the scab pretty often. It is a thing that graziers are subject to. We are obliged to buy all our cattle, and we take every precaution we possibly can. As soon as we discover the disease, we at once dress for it. It is a thing simply and easily cured, if careful.

2529. Would you prevent sheep with scab going to a store market?—I would if I could, but I do not think that it is possible. I will tell you why. They may have the scab in their blood or constitution, and it would not be possible to find it out for some weeks, I might almost say.

2530. In a case in which scab is clearly visible to anybody, do you think that there would be any objection to putting a penalty on a man sending sheep with scab into a market?—No; it would be a very good thing to do. But nobody would buy them with scab. I assure you that I have had sheep come out of Shropshire, which have been on my farm six or seven months, and never been off it, and which have then broken out with scab.

2531. It would be impossible, of course, to prevent that by any legislation?—Quite impossible.

2532. In regard to the clauses which are proposed in this Bill for appointing inspectors to markets, have you any observation to make?—I think that it is throwing a great deal of power into hands which do not always use that power to advantage. I will tell you fairly, the great objection to this Cattle Diseases Bill is with regard to the foot and mouth distemper. We cannot see our way clearly through it. It is quite open to a common inspector, or a common policeman, whoever he may be, if he meets a lot of cattle, 200 or 300 cattle, and sees one of them with the slightest symptom, or he might be mistaken, and there may be no symptom at all, to stop the cattle altogether. It would lead to enormous loss; and I think that it is putting too much power into the hands of men who cannot always be supposed to act as they ought to act.

2533. Put the foot and mouth disease out of the question, and suppose it entirely excluded from the Bill?—I should at once withdraw my opposition; that is the only thing which I care about. That is the only thing which we care about as graziers. If it is carried out, it will enhance the price of meat wonderfully. Perhaps you will allow me to tell you one case in point. In three weeks, some of my cattle will be fat and fit to go to market. I shall send them from Rugby station here. When I get into the market the next Monday morning, it is quite possible that my man may say to me, "Your cattle are not here; they are stopped at Camden Town, and they will not be allowed to be shown." I say, "For what reason?" "There is one of them has a symptom of the foot and mouth distemper;" or in all probability the lot of them. It is no use my taking them back; they must be killed. I must consign them to Newgate Market, or to a Leadenhall salesman; and if it is a hot week, I shall in all probability lose 5 *l.* a piece, which would stop me. That is a case of fat cattle. I have never heard of a single instance in which the meat has at all deteriorated from it. I have never heard the thing mentioned or thought of. Well, then, on the other case, I may go to Northampton, expecting to buy a lot of runts, which are North Wales cattle, and those cattle may be set on one side. I lose my fair, and the man is ruined. I assure you that you will find great difficulty in carrying it out.

2534. Speaking generally, if foot and mouth disease is excluded from this Bill, your objection would be withdrawn?—Yes.

2535. There are some clauses in the Bill for the purification of the trucks of the railway companies; do you see any advantage in that?—I think it would tend to lessen the infection, possibly, though that would not prevent the foot and mouth distemper coming; I have had cattle which have been put up in a yard, a mile away from anything else, for months, and those cattle have fallen ill without a single thing having been near them, or having been disturbed for months; there is no prevention for it, I am quite certain.

2536. With respect to foot and mouth disease, you say that it arises of itself from some atmospheric influences?—In my opinion unquestionably; it is a most singular thing; but you shall have two lots of cattle come home, and walking together 40 or 50 miles, one lot of cattle shall have it, and another shall not; it is a very difficult thing to legislate for.

2537. Do you know anything of the disease called steppe-murrain?—No.

2538. Have you any objection to the law as to glanders in horses?—No.

2539. Do

2539. Do you think that farcy ought to be put in the same category, or treated in the same way as glanders?—I really do not know; I am not a veterinary surgeon; I never had a case in my life.

2540. Have you any other observations to make on the Bill?—No, I do not know that I have. If the foot and mouth distemper is excluded, I think the other provisions are all very well; but that, I think, is a difficult subject to legislate upon.

2541. Mr. *Beecroft.*] I think you observed that you had a beast the other day affected with pleuro-pneumonia, and that you immediately sold it; may I ask you if you sold that beast to a butcher?—I did.

2542. In that case you considered the butcher the best doctor?—Yes.

2543. That was to prevent any further infection?—Yes; I consider the butcher decidedly the best doctor, if the beast has any meat on him; if he is poor, of course he is worth nothing, and you risk it; if he has anything on him, the same as a sheep, you kill him; the first cost is the least.

2544. You sell him to the butcher to prevent further disease spreading?—Yes.

2545. Simply on that account?—On "his" account, not on account of the disease spreading, because I do not think that it is so catching as many people think; it is to prevent the loss of that one bullock.

2546. Mr. *Hodgkinson.*] With respect to that bullock, I think you said that you sent it to a fair?—I did.

2547. That would be a fair where there would be store cattle as well as fat cattle?—There were a very few, but it was put amongst fat cattle.

2548. There is a part of the fair set apart for fat cattle?—Certainly.

2549. You have stated that, in your opinion, pleuro-pneumonia was not infectious?—I do not think that it is as much so as other diseases.

2550. You have given your reasons for that, stating that you had cattle in one field, and your neighbour had cattle in an adjoining field; that your cattle had not been infected by his, nor had his cattle, in another season, been infected by yours?—That is so.

2551. Have you had any experience where cattle with pleuro-pneumonia have been confined in sheds?—I mentioned that I had a bullock last year in a yard, not in a shed, but in an open yard, and not one of the others showed the least symptom of disease.

2552. Have you had any experience as to dairy cows or cattle tied up to fat?—No.

2553. Do you think it very possible that dairy cows, and cattle tied up to fat, would communicate the disease more rapidly than cattle in an open yard?—I think possibly they would perhaps be more predisposed to the disease.

2554. In that case it would be a very serious question for dairymen?—It would.

2555. Have you had any experience in innoculation of cattle for pleuro-pneumonia?—None whatever; I never saw it.

2556. You know that that is extensively practised?—I know it has been; but I have no experience at all.

2557. With regard to the scab in sheep, you have stated that it would be almost impossible to select cases of incipient scab where it is latent in the blood, and has not broken out?—I believe that to be so.

2558. Is it not the fact that, when the scab is in that stage, it would not be liable to be communicated to sheep in an adjoining pen; it is not until it does break out, and the insect is liable to be detached from the diseased animal, that the disease is communicated from one to the other?—I expect so.

Mr. *T. Congreve.* 14 June 1864.

2559. Then, if all instances of scabby sheep which had openly broken out were excluded from the market, there would not be the same danger of the infection spreading?—I think not.

2560. Mr. *Holland.*] With reference to pleuro-pneumonia, you said that you objected to the inspectors, because they might be policemen or unfit persons; but if care were taken by the Bill that they should be competent persons, veterinary surgeons and professional men, you would not have any objection?—That would do away with my objection.

2561. The great object of having an inspection at all is to prevent a loss amongst the farmers and dealers, because we know that when animals have a disease which is contagious, their meeting in markets spreads the contagion; you do not see any objection to an inspection by duly qualified men?—Are you alluding entirely to pleuro-pneumonia?

2562. Yes?—None whatever.

2563. Have you any remarks to make with regard to the transit by railway in connection with scab in sheep, for instance, or in connection with cleaning the trucks?—I think that cleaning the trucks would be the means of prevention to a slight extent, though that is not always the case. I can mention a case in point, which occurred only last Christmas. A friend of mine was at Birmingham Show, with some very good cattle, and I told him that I had heard that if he got a truck thoroughly well cleansed, using chloride of lime, he might probably escape the distemper. He was very much obliged to me, and he did so. Under his own eyes the cleansing was done; his cattle were taken to Smithfield Show, and I think they had it as bad as anything in the yard, so that there was no prevention at all; but still, I think that if the trucks were occasionally cleansed and washed, and proper precautions taken, it might tend to lessen the spread of it; as I have said before, it is a very difficult question; as to the foot and mouth distemper, I am convinced that nothing will prevent it.

2564. Sir *William Miles.*] In the course of your experience, have you seen much of pleuro-pneumonia?—I am happy to say not very much for the last few years; I had it, to a strong extent, as I told the Committee, some 20 years ago.

2565. When you had it to the strong extent you mention, how many of your 300 cattle were affected by it?—We lost 35.

2566. Were those cattle you lost contiguous to each other in yards?—It fell in summer time, when they were being grazed.

2567. Was it communicated from one field to another;—It fell on different parts of the farm, and on different farms that season, which had no communication with each other.

2568. Did you particularly observe how the cattle were affected that were seized with this pleuro-pneumonia?—Just in the common way: loss of appetite, and dulness, and the lungs of course affected.

2569. There is a disease which was known long before; viz., that of the common lung disease in

Mr. *T. Congreve.* 14 June 1864.

cattle; is it not possible that, in the case you have given us, there might be a mistake, and that it might have been a common case of lung disease, and not pleuro-pneumonia?—It is very possible; I am not sufficiently a scientific man to distinguish the two; all that I know is, that the cattle were obliged to be sent away.

2570. In the one case you lost a great number of cattle, and in the other case which you mentioned to the Chairman you merely lost or sold the animal?—Yes.

2571. You are Chairman of the Farmers' Club in London?—Yes, the Central Farmers' Club.

2572. I think these Bills were the subjects of discussion before you?—They were.

2573. And were a good number of farmers present at that meeting?—Yes.

2574. Did they come to an almost unanimous conclusion that if foot and mouth disease were excluded from the Bill, the Bill itself would be a good Bill?—They came to that conclusion; not exactly a "good" Bill. We do not often see a very good Bill; but we had no particular objection to it.

2575. I take it that you speak now not only for yourself, but you speak for the whole society, as far as they were represented by the farmers then present?—I do not know that; allow me to answer for my own opinions.

2576. A list of members of that society is promulgated to be examined; do you speak for those gentlemen who were so proposed to be examined?—I speak for myself. I rather suspect there are some of those gentlemen summoned I do not agree with.

2577. You see the great wish of the Committee is, to know exactly what the feelings of the farmers may be on this question, and not to reduplicate evidence over and over again on the same subject, when we can come to one conclusion; therefore, if you speak the sentiments of the farmers who were present at that time, and who subscribed to that declaration, very likely the Committee may conceive that you would be sufficient evidence on that point?—Then I can assure you that I speak quite the sentiments, not only of the Central Farmers' Club, and the gentlemen there present, but the sentiments of a very large body of men in Leicestershire, Warwickshire, Northamptonshire, and the Midland Counties, because we have had great discussions on the matter; and great fear has been expressed that it would considerably enhance the price of meat, and tend to make altogether in a ruinous state.

2578. You have been over the two Bills?—Yes.

2579. Did you make any alterations in those Bills, so as, as far as you possibly could, to meet the wishes and feelings of the graziers?—We directed our attention almost exclusively to the foot and mouth distemper; we are quite aware that the pleuro-pneumonia, or lung disease, is a fatal disease; on the contrary, the foot and mouth distemper is not a fatal disease, and they never die of it, not one in ten thousand.

2580. Then, speaking roughly, if the foot and mouth disease is struck out of the Bill, the farmers and graziers will be satisfied?—That is so.

2581. Colonel *Barttelot.*] You have just answered Sir William Miles that the graziers and farmers would be satisfied if the foot and mouth disease were struck out of the Bill?—Yes, that is my opinion.

2582. You would be perfectly satisfied to have pleuro-pneumonia remain in the Bill under the strong restrictions which there are now in that Bill?—If the Bill is thought necessary, I should have no objection to pleuro-pneumonia remaining in it; our interests are so identical with the interests of the community that we do not conceive that there is any Bill wanted; it must be self-evident to every Member of this Committee that it is the interest of every grazier to take care of his stock; it is what he lives by, and he does the best he possibly can for them, unquestionably; we conceive ourselves to be able to take care of ourselves.

2583. Suppose a large cattle buyer purchases 300 or 400 head of cattle, and comes to any one of these central fairs at which you buy; do you suppose that that man would be as ready and willing to purchase stock with such a Bill hanging over his head as that now proposed, as he would be if there was not the same restriction?—He could not do it; the thing is absolute ruin.

2584. Then if the thing is absolute ruin, I do not understand your answer, when you say that you would like to have pleuro-pneumonia left in the Bill?—I beg your pardon; I thought you were alluding to the foot and mouth distemper.

2585. No, I merely said pleuro-pneumonia?—It is quite impossible that a man can have 300 or 400 beasts with pleuro-pneumonia, and it is utterly impossible that any man in his senses would buy one; it is the foot and mouth disease which we, as the graziers of England, object to.

2586. I perfectly understand from you, as most witnesses have stated before, that the foot and mouth disease, in your opinion, should be struck out of the Bill; but I am talking about pleuro-pneumonia, and I want to know whether the trade would be hurt, and whether there would not be serious difficulty in buying that stock which you now buy if pleuro-pneumonia were left in the Bill?—It would make no difference; the very fact of pleuro-pneumonia being in the Bill would make no difference; it is a thing we do not get in store markets at all.

2587. Sir *William Miles.*] Because, though it may be latent a long time, it is very distinguishable when the animal is in a high state of disease?—Certainly.

2588. Colonel *Barttelot.*] I must go one step further. You perhaps know that pleuro-pneumonia very often takes 40 days in incubation?—I am not sufficiently a veterinarian to answer that question.

2589. It has been stated here that such is the case?—I have no doubt that it is a long time coming on.

2590. We will presume that it is so. Then I want to know, and this is the important matter, whether the large cattle buyers would feel inclined, with the penalty hanging over them which is imposed by that Bill, to buy cattle so freely as they do now; whether, in fact, the markets would be as well supplied as they are at this present moment if that Bill were passed?—I think it would tend the other way; I think it would perhaps make them more careful in laying their money out; but I do not think the case can come in point somehow as regards pleuro-pneumonia. Cattle will not walk across country with pleuro-pneumonia without showing it. I have no doubt that you are perfectly right, that it is some time in the system before it shows itself, and of course

Mr. *T. Congreve.* 14 June 1864.

course we are apt occasionally to buy animals with it who fall afterwards, but that cannot be prevented, I think. There is no symptom when we buy them.

2591. Then if there is no symptom when you buy them, and it cannot be prevented, what is the use of having pleuro-pneumonia in the Bill?—Well, I want to know what is the use of the Bill at all; that is what we want to know.

2592. Sir *Thomas Burke.*] As to pleuro-pneumonia; I take the case of a Welsh drover coming up to the market at Northampton with 50 beasts; he drives then 10 days, and when he arrives near Northampton one or two of those animals fall sick of pleuro-pneumonia; what would you have the man do, would you fine him 20 *l.* a piece?—I would kill them at once.

2593. How is he to manage it?—Have them killed.

2594. Of course he would not show it?—No, he need not run the risk of doing that in that stage, because nobody would buy them; the proper course would be to have them killed.

2595. Sir *William Miles.*] There would not be much difficulty in the sale of such an animal?—Yes; there is always a considerable difficulty. He always loses a lot of money.

2596. I quite agree with the loss of money; but there is not much difficulty in the sale?—Neither ought there to be, for the meat is no worse.

2597. Sir *Thomas Burke.*] How would you define scab; in what way would you detect a dealing man bringing 200 sheep: of course he would not show scabby sheep if he could avoid it; but how is that to be detected?—We generally examine the sheep to see if there is any scab about them; but I am not sufficiently a veterinarian to tell you.

2598. Suppose you buy 200 sheep of a dealing man, and having bought those sheep and marked them, you find three or four scabby sheep, would you have the law that you could go and return those sheep on the man?—If he warranted them sound and clean to me I should return them, or bring an action against him. We have our own remedy. As I said before, we do not want the Bill at all.

2599. That is the mode now?—Yes.

2600. Mr. *Leader.*] It appears to me as if this Bill were framed to assist persons in your position to buy store cattle, and you yourself do not seem to think that the Bill is of the least use to you?—Not the least.

2601. Mr. *Leslie.*] You stated that you had sold a bullock affected with pleuro-pneumonia, and perhaps you will have no objection to state the age and condition of the animal at the time when it was affected, and how much it had lost when you sold it; how much it decreased in weight and also in value?—It was one of 13, bought at Harborough Fair, of Mr. ————, a man very well known. It was a very useful bullock. The 13 cost 18 *l.* each, less 5 *s.*; that is, 17 *l.* 15 *s.* a piece. I went to my farm on last Saturday morning; my shepherd said, "There is a bullock not well, and I think it is going to have the lung distemper." I went to him; I moved it round, and said, "You are right; I have a lot of sheep going to Warwick Fair, and he shall go with them." He went away, and I sold him to a butcher in Birmingham for 15 *l.* The loss was 2 *l.* 15 *s.* He was not the worst bullock; about an average bullock. You may say the loss was 3 *l.*, besides the keep.

2602. For how long?—From the 29th of April until yesterday; but he was only affected one day; he was only taken ill on the Saturday morning.

2603. You only discovered it then?—Yes; the beast was in a very good fresh state, and so I sent it away.

2604. Did you see the flesh after the bullock was killed?—No; he went to Birmingham yesterday, and I should have very great pleasure in dining off him as soon as you like.

Mr. James Whitsed, called in; and Examined.

Mr. *J. Whitsed.*

2605. *Chairman.*] You are a Farmer residing in the neighbourhood of Peterborough?—Yes.

2606. One of the Members for Northamptonshire has, I believe, communicated the nature of the Cattle Diseases Prevention Bill to you?—Yes.

2607. You have collected the opinion of your neighbours on the matter, have you not?—Yes.

2608. I understand you have some observations to make respecting the Bill?—I think the great objection to it was the foot and mouth complaint.

2609. Do you agree, generally, with the observations you have heard made by Mr. Congreve?—Certainly, I do. I could not see my way clearly to making it applicable to the store cattle, without being so very prejudicial to the general interests of the country, that I think it is better withdrawn altogether.

2610. I believe there were some amendments or remarks, I do not know whether sent by you or not, but sent to Mr. Hunt?—Yes; but I believe that in the Draft Bill that I saw, scab was excluded.

2611. Do you think it should be included in the Bill?—Decidedly.

2612. You think that in clause 5, the owner should have the option of finding a place to put diseased cattle into?—I think so.

2613. I see that you have made an observation in reference to the power of the Privy Council to issue an order for the destruction and burial of diseased cattle?—Yes.

2614. You are aware that that power at present exists?—I was not aware of it.

2615. And that it was only exercised in cases of the outbreak of small-pox in sheep?—I supposed it was applicable, at any time, for the inspectors to have any diseased beast or sheep, or whatever it might be, immediately destroyed, and so I objected to it on those grounds.

2616. It would clearly be inapplicable to any disease, except a disease of a highly contagious character?—Then, I should not say it is objectionable.

2617. Do you believe that the clauses respecting the cleansing of trucks would be of advantage?—A decided advantage; I have no doubt of it.

2618. Do you think it should be in the power of any railway company to refuse to carry any cattle sent to them?—Certainly; they should have the power to refuse to do so, because they are liable for the cleansing and purifying of the trucks, and I think they should have the power to refuse to carry cattle.

2619. Would you have any objection to give

Mr. *J. Whitsed.*

14 June 1864.

to the railway company a certificate that, to the best of your belief, the cattle you sent in the truck were sound?—Certainly not.

2620. Do you believe that if inspectors of markets is provided in the Bill, the inspector should be a veterinary surgeon?—Certainly.

2621. Do you think that inspection of markets would be a good thing or a bad thing?—I think in a great measure it would be of some benefit.

2622. Do you believe that the penalty claimed would be sufficient without inspection?—I think so.

2623. Lord *Naas.*] Do you think it would be possible to carry out the inspection that is proposed in the Bill?—I do not think it would; I think it would lead to an interference, perhaps, that would be highly objectionable.

2624. You think it would lead to such an interference that the good it would do would not be worth the evil which would be caused?—I do; I think the penalties are a sufficient protection without the inspection.

2625. Do you think the penalties would be applied for?—I think they would.

2626. If it was merely left to the parties?—I think so.

2627. Without the interference of any policeman or inspector?—I think so.

2628. You would, I presume, allow the clerk, or the authority of any market, to sue for the penalties in any case he thought fit?—Certainly.

2629. Mr *Thompson.*] Do you think that men frequenting the market would like to inform against others that had brought diseased cattle there?—I think they would, particularly the class of graziers; I think the graziers would do so for their own protection.

2630. Mr. *Miller.*] Do you think that the inspection of markets could not be given to others than men brought up as veterinary surgeons?—I think it would be very objectionable, unless it was in very skillful hands indeed.

2631. Do you think that such a man as a butcher would not be eligible for such a situation?—Certainly not.

2632. I am speaking with reference to dead meat?—I beg your pardon; I would say in that case, a butcher would be a very proper person.

2633. Do you think that a butcher would be as good a person as a veterinary surgeon?—Yes, or better than a veterinary surgeon.

2634. In the case of animals condemned in markets, on whom would the responsibility and the loss fall?—In my opinion, on the original owner of the cattle.

2635. Some regulations would be required as to the lapse of time that had taken place?—Of course.

2636. You think that the original owner of the meat should be made responsible, and not the butcher?—Not the butcher. He, perhaps, buys it innocently, and I think it would be very hard to make him suffer for a thing he is ignorant of.

2637. *Chairman.*] With respect to the last question; do you mean to say that if you sent a fat beast to market, and that beast was killed within three or four days after you had sold him to the butcher, and the carcass was condemned as unfit for human food, that the loss should fall on you and not on the butcher?—I think so, because I do not see there would be a probability of its being in an unwholesome condition in so short a time; and if it was so, it must be knowingly on my part previously.

2638. You would have no objection to such a clause as that?—Not at all.

2639. Mr. *Algernon Egerton.*] What markets do you principally attend?—Peterborough and Spalding are the principal markets in the country which I attend. My cattle are sent to the metropolitan markets.

2640. Have you frequently seen in those markets beasts diseased with pleuro-pneumonia?—Not often; not twice in six months.

2641. Then you think practically that there would be little difficulty in finding a beast diseased with pleuro-pneumomia, even in those markets, and inflicting a penalty on the sender?—It would be very rare indeed, I think, because when we, as graziers, find an animal affected, it is either at once slaughtered, or sent away to the metropolitan markets, if it has any condition at all on it. I frequently have such cases, and that is the remedy which I adopt at once.

2642. Sir *William Miles.*] It is sent away as dead meat?—Yes, or consigned here to the Metropolitan Market.

2643. Mr. *Algernon Egerton.*] Then, there is no difficulty in disposing of the carcass of a beast that has died of pleuro-pneumonia?—If it is in any condition.

2644. There is a deterioration, of course, in the price that it fetches; but still, there is no difficulty in disposing of it?—Certainly not.

2645. *Chairman.*] Have you any further observations to make?—I hope that it will be considered expedient by the Committee to adopt strong measures with respect to the scab in sheep. The graziers suffer to a most enormous extent from the animals being exposed for sale in the market suffering from scab.

2646. You could not object, I presume, to sheep which had the scab being sold, it not having appeared in the sheep, and not to be discerned?—It will not develop itself sometimes for many weeks, and therefore, perhaps, they might be sold without a guilty knowledge on the part of the owner; but I contend that no breeder of sheep can have the scab in his flock without knowing it; and I would make him responsible, and not the dealing man who buys them of the breeder. We frequently have instances of breeders of sheep who will send for a dealing man when his sheep are affected with the scab, and sell him the lot of sheep, and the dealer takes them to the market unknowingly, and they are sold at once to parties who do not suspect the disease, and then of course it is spread amongst the whole flock.

2647. Do you take any warranty with your sheep?—No.

2648. Why do you not do that?—It would be better to do so; but business is generally conducted with graziers, I am sorry to say, in a very loose manner. It would be better, decidedly.

2649. You would have a complete remedy if you took a warranty?—Yes. I think, from the clauses of the Bill, if such were inserted, it would be a great protection to the grazing interests.

2650. Colonel *Barttelot.*] You never have any cause to complain of the general sheep dealers selling sheep with scab, have you?—Yes, I have. Perhaps they did it unknowingly.

2651. Sir *William Miles.*] When once on a farm it is very difficult to get it off, is it not?—It is.

2652. Lord *Naas.*] Do you not think that a careful

careful buyer could generally detect the existence of scab?—No, it is almost impossible. You will find that sheep will rub themselves under any circumstances, particularly in hot weather. They will rub their coats against the hurdles, and appear to itch, so that you cannot detect the scab in one out of a thousand, unless they really are very badly affected with it indeed.

Mr. *J. Whitsed.* 14 June 1864.

2653. You cannot detect it without turning down the wool, but if you do that you can detect it?—Not always, unless it is in a very bad state indeed.

Professor JOHN GAMGEE, called in; and further Examined.

Professor *J. Gamgee.*

2654. *Chairman.*] AT the request of the Committee, I sent to you an extract from the evidence given on the 7th of June by Mr. Hall Maxwell. Have you that extract by you?—I have.

2655. Will you be kind enough to refer to question 2096. In answer to question 2096, Mr. Hall Maxwell stated as follows: "I read that table," referring to the table contained in your report to the Privy Council, referring to the mortality in the Edinburgh dairies, "with some surprise; but when I saw the very distinct manner in which the Privy Council were assured that they might accept everything in it as correct, I did not at first think it necessary to go into it. Accidentally, conversation with one or two dairymen led me to make a more minute investigation; and to make a long story short I may say this: the details in that table could only have been obtained with accuracy from the individuals themselves. The reporter could certainly have got the number of cows in each dairy from the police books; but as to the statistics of deaths, he not only could only have got them from the individuals, but my firm belief is, that the individuals could not have given them, and could not give them to him now: at all events, there are in the "Edinburgh Directory" 89 dairymen. There are more than that in the trade; I believe that there are 100. The trade met, and they signed a paper, and which I have here. If you desire it, I will read it; 99 firms signed the paper, declaring that they never had been applied to for information, such as is contained in this table; that they never gave any such information; and that the table is utterly untruthful. This is the document, with the signatures attached to it. It is as follows: 'Edinburgh, We, the undersigned dairymen, or cow feeders in Edinburgh, hereby certify that Mr. John Gamgee, veterinary surgeon, did not apply to us for, nor obtain from us, any return showing the number of cows kept by us, the number sold diseased for pigs, during the year commencing 1st July 1861 and ending 1st July 1862. It is our firm opinion that the statistical table furnished by Mr. Gamgee, and published in page 214 of Appendix to Report of Medical Officer of the Privy Council, is altogether incorrect, and consequently untrue, Mr. Gamgee never having had any information from us on the subject; and as he could not furnish a correct table, except through us individually, and from no other source, the report made by Mr. Gamgee, we repeat, is, therefore, false and without foundation.'" The Committee wish to give you an opportunity of giving them any statement which will show that the manner in which you prepared that table has been accurately stated by you in your evidence, and in your report. You will understand that the Committee desire to have from you any explanation in defence of the attack which has been made upon your personal veracity in regard to the collection of these returns?—I may mention here that the first copy of that table drawn up, was in the handwriting of an Edinburgh dairyman, Mr. Thomas Haddow, of Cumley Bank. I submitted the statistics to many competent persons to ascertain their truth; and last year, on the 3d September 1863, a meeting was held in the New Veterinary College. I spoke of the losses, and showed them how, during the years 1860, 1861, and 1862, the mortality had been increasing, and the number of diseased animals slaughtered had progressively augmented. There were between 80 and 90 dairymen present. When I began my statement by saying that, in 1860, 685 cows were slaughtered by butchers and Edinburgh dairymen, Mr. Gibson called out, "you may double it," there was no dissentient voice, and all admitted the truth of the statement. This statement I have from the shorthand writer's notes.

2656. A shorthand writer then was present at that meeting?—Yes.

2657. At which meeting a large number of dairymen attended?—Yes; from 70 to 80.

2658. The meeting was called by you?—It was a general meeting to inquire what could be done for the prevention of disease. Seventy or 80 dairymen were present; and, in fact, they were almost all dairymen but myself.

2659. The meeting was called by you?—Yes.

2660. Lord *Naas.*] Was it a public meeting?—It was quite public to all the dairymen, and everybody in the town. There were two veterinary surgeons there, and a magistrate of the City of Edinburgh, Mr. Bailie Alexander.

2661. Where was it held?—At the New Veterinary College. Mr. Maxwell applied to me for information as to the manner in which I had collected the statistics in the above-mentioned table on the 3rd of May of the present year. On the 13th of May 1864, I received a letter from an Edinburgh dairyman, Mr. Haddow, who said:—"I can assure you, your enemies in Edinburgh are neither silent nor idle. Mr. Hall Maxwell has employed Mr. Alexander M'Intosh Greenside to go through all the dairies in Edinburgh, to get a paper signed to the effect that the statistics you furnished from the Edinburgh dairies are greatly exaggerated, and that you never applied to them for information."

2662. Was that letter which you received from Cumley Bank Dairy, in consequence of inquiries that were made by you. Was it in answer to a letter of yours?—I find here that I got information through him that this document had been signed, and I wrote to ask him what document he had signed, and then he said he had not signed any document.

2663. Will you confine yourself as much as possible to statements controverting the facts that are found in the evidence. Do not travel beyond that?—I will not.

2664. *Chairman.*] Will you proceed with the letter you were reading?—Yes; "And that you never applied to them for information, and I am

Professor *J. Gamgee.*

14 June 1864.

sorry to say that they have all signed it, myself excepted." I find there is an error in that, they did not all sign it; this gentleman was one of the dairymen who supplied me with the largest portion of the information. I had another letter from him, of the 11th June: "Sir, I have no hesitation in stating that the table of statistics relating to the Edinburgh dairies, published in your report, in no way exaggerated the mortality in this city; I was most careful in procuring the data which I furnished you with in 1862, and at that time I had many opportunities of testing the accuracy of the figures I supplied you with. The buyers of diseased cows, who constantly visit the dairies, confirmed many of the statements obtained by yourself, and indeed, until recently, no dairymen ever declared your statistics to have been in the least exaggerated." These were the general statements about the disease; now here I have the evidence of the gentlemen who aided me in collecting statistics.

2665. Will you mention the names of the gentlemen you refer to?—The first gentleman who assisted me was a student of mine, then my assistant, and now Professor Murray, of the Royal Agricultural College, Cirencester. The letter is dated the 18th June 1864. I wrote to him for a letter, as he was one of my most active assistants at the time. He says:—"Royal Agricultural College, Cirencester, 13th June 1864. Dear Sir, I perfectly remember instituting inquiries for you amongst the Edinburgh dairymen in 1862. I never had any difficulty in getting information from them, especially as I was personally acquainted with some who not only admitted but justified the sale of diseased cows to butchers and pig feeders. I have been in one of the Edinburgh byres on several occasions, and have seen pus and blood discharged from the ulcerated teat of a cow which was being milked, and the milk thus contaminated was sold to the public. I have no reason to consider that such cases were uncommon. I know a farmer near Edinburgh who, during the time I attended the college, was in the habit of feeding a large stock of pigs chiefly on the flesh of diseased cows. It is commonly said among the dairymen that if they did not sell diseased cows they would be ruined: and I know of some cases in which the dairyman has lost every animal he possessed from disease. Your statistics contain no exaggerations, but were fully substantiated by the statements of the dairymen themselves. The slaughter-house books cannot show the total number of diseased animals killed in Edinburgh, as many are killed privately, and consequently do not appear in the slaughter-house books, which, however, are not to be relied on. The result of any investigation as to the Edinburgh dairies in 1862, was: 1st. That the number of diseased animals was very great; and, 2d. That those affected were not treated but were slaughtered; and, if a careful and thorough investigation is made, any other inquirer will arrive at the same result." Then my next assistant, Mr. Daniel MacGregor, who was an especially active man, and who is now a veterinary surgeon at Seaton Delavel, near Newcastle-on-Tyne, says:—"Dear Sir, in 1861-62, I had many opportunities of knowing the state of the cows in the Edinburgh dairies. I treated various diseased ones for one of the largest dairymen in Edinburgh (Begly); and I had no difficulty in obtaining information as to the trade in diseased animals. I perfectly remember communicating the facts to you which came to my knowledge, and which were sufficient to show that the Edinburgh dairymen carry on an extensive trade in diseased cattle."

2666. *Chairman.*] Those letters are from your two assistants?—Yes.

2667. Therefore, you have stated to the Committee, in the first place, that you yourself employed Mr. Haddow, an Edinburgh dairyman, who drew up the table?—Yes; I collected many of the facts myself though.

2668. And that also you assembled in your own rooms a number, consisting of 70 or 80 Edinburgh dairymen?—Yes, that is recently, last year; and referring to the general statistics for the past years, I brought forward the general subject of disease in animals.

2669. Was that previous to your report being sent in to the Privy Council?—Considerably afterwards; it was in 1863 that I had the meeting of dairymen, and I think it was then I laid before them the information I had with regard to disease, and it was there that all these men corroborated it, and one of them cried out "you may double it." Mr. Holland was present at another meeting of dairymen in London, where precisely the same thing was repeated.

2670. You have now produced two letters from the two gentlemen who assisted you in preparing the statistics upon which you founded your report to the Privy Council in the year 1861-2?—Yes.

2671. Those two letters state distinctly that the information was gained from dairymen?—Quite so; distinctly.

2672. And, therefore, you have distinctly denied the statement made by the Edinburgh dairymen, that the information could not come from them?—I think so.

2673. Sir *William Miles.*] When were you employed by Government?—I was employed in 1861.

2674. Originally?—No, it was in 1862; it was at the time I began to collect this information; it was in June 1862 I was employed, and I forthwith began to inquire as to the losses between 1861 and 1862.

2675. What I want to know is this; did the inquiries of the gentlemen which you have just read take place previously to your inquiry for Government?—They took place immediately after my authority from Government to institute the inquiry.

2676. *Chairman.*] With respect to the statements in the document signed by the Edinburgh dairymen, which has been given to this Committee by Mr. Hall Maxwell, have you instituted any inquiries from which you are satisfied that a considerable number of the dairymen who signed that document did not read the statistics which they have declared in that document to be false?—Decidedly.

2677. Will you be kind enough to explain to the Committee on what you ground that assertion?—I may mention that the points I found it on are these: first, that the large majority of persons who signed the above-named document did so without reading it or knowing anything about its contents, except that it was to defeat Mr. Gamgee's Bill; secondly, that not one person who signed the document consulted the statistical table, to ascertain whether it was correct or not, and we could find only one who knew what table was referred to, and that was Mr. Mackintosh, who was employed to collect the signatures.

2678. On

2678. On whose authority do you make that statement?—I will give it to you in a minute. I have four more points to take up. Thirdly, that wherever a confession could be obtained, the table was below the truth, and in no single instance above it. Fourthly, no single dairyman asserts that disease is less rife now than it has been, but many give facts to the contrary. Fifthly, a number admitted having given me information; not one stated that he had been asked by Mr. Mackintosh, or other person, to draw up a table of statistics; and, sixthly, Mr. Haddow and others assert they were never asked to sign a document stating that I had received information; and the only document they could remember was one destined to demolish me. I may mention that I got some of that information myself, but there are 26 dairymen whose names I have here. Each one of them has been spoken to by highly-respectable persons, as well as some of them by myself. I will give you a list of the names. I had no time to go over any more. They are Edinburgh dairymen that have been spoken to with respect to the manner in which they signed that document. Mr. Murray says—

2679. Who is Mr. Murray?—The father of Mr. Murray, of Cirencester, who assisted me, and this gentleman assisted me in 1862. He is a solicitor, and he went round to those various dairymen to ascertain under what circumstances they signed that document.

2680. He is the person who went round to the dairymen, a list of whom I have in my hand?—He is one of them. He went to 13 of those; I have his statement here.

2681. Will you proceed with Mr. Murray's letter?—Yes. He says:—"Edinburgh, 5 York-place, 10 June 1864. Professor John Gamgee, Castle-terrace:—Dear Sir, I perfectly remember my son, now Professor Murray, at Cirencester, aiding you, the year before last, in collecting statistical information for your report to the Privy Council. As I had occasion also to institute some inquiries on that subject, then and subsequently, I know from personal experience, that your statements as to the Edinburgh dairies are considerably below rather than above the truth. Having seen the attack on you by Mr. Hall Maxwell, I have called on several of the dairymen in this city, whose names I append, and find that not one of them know anything of the statistical table published in your report, of which some of them never even heard, and none of those who signed the document against you had ever read it, and only signed at the instigation of Mr. M'Intosh and others, to defeat you in your measures, as tending to prevent their future sale of diseased cows to advantage. In short, I have been unable to get a single fact to invalidate your statement, but much to confirm it; every one I have examined confess to heavy and continuous losses by the disease; but that they invariably sell to the butcher if possible, except, when too far gone, they are obliged to sell to the pig feeders. All the dairymen are alarmed at the Bills before Parliament, as tending to put a complete stop to their getting any return in the sale of their diseased animals, as at present, and all concur in asserting that the disease was never more prevalent than it is at present; in proof of which one man told me he had, out of a stock of nine, lost no less than four within the last two weeks; and others, with a stock of 30 or 40, have lost 20 in the course of a few months, and so on; but they are not willing now to give statistical accounts of their loss. Yours truly, *J. Murray*." I may mention, that I have some statistical account of the loss to supplement the other, if you wish it.

Professor J. Gamgee. 14 June 1864.

2682. Does Mr. Murray append to that letter the names of any dairymen whom he himself had seen on the subject?—Quite so.

2683. How many?—There are 13 dairymen here. John Morton, Dundas-street; William Orr, Jamaica-street; John Inglis, Bonnington-road; William Smith, Bonnington Bridge; John Niven, Logie Mills; Mrs. Spence, Thorny Bank; Mrs. Bell, Grove-place; Mr. Robert Niven, Jamaica-street; Mr. James Christie, Cow feeder, Barony-street; Mr. Wilson, Calton-street; Mr. McEwan, Broughton-street; Mr. Kinlock, Hanover-street, and Mr. Mackintosh, Greenside.

2684. The names of those dairymen are on the paper which you have put in my hand?—They are.

2685. Are the names of any others on this paper?—Yes; the names of others inquired into by Mr. Robertson, and by one of the professors in my own college, Professor Law, who writes in this way:—"Edinburgh, 10th June 1864. Dear Sir, In accordance with your request I called to-day on three dairymen in this city, to ascertain under what circumstances they signed the document against you, referred to by Mr. Hall Maxwell, in his evidence before the House of Commons. Not one of the three had seen your table relating to the dairies of this city, and two, who confessed to having signed the document, had not read it before doing so, and were instigated by others to follow their example. The third, who stated that he had not signed the paper in question, acknowledged that he had, during the year 1861–2, lost at least the number of cows placed against his name in your table. I find that there is much ill feeling against you on account of your writings on the traffic in diseased meat and milk; and one dairyman said that he, like the others, was strongly opposed to the Bills at present before the House, and was not over anxious to inquire into the precise terms of any document whose object it was to defeat them. There was not time for every one to read it; and he heard others, saying, 'It was all right;' so he signed like the others. *Apropos* of the alleged decrease in the virulence of pleuro-pneumonia, I may state that the party who did not sign Mr. Maxwell's document, confesses to having lost 41 cows by this disease since last October, out of a standing stock of 35. Another of the dairymen in question, and whose regular stock varies from 20 to 25, has lost 30 cows from the same malady since the 1st of January 1864. I shall be ready, if called upon, to furnish the names and addresses of the parties I have visited."

2686. Are you certain that the dairymen, whose names you have read to the Committee, are among those who have signed the document which Mr. Hall Maxwell brought to the Committee?—Decidedly. If you like, I will read you one, as evidence of what they say: Here is John Morton, Dundas-street—"Professor Gamgee called on him last year for information as to diseased cows. He has frequently diseased ones, but sells them to the flesher when they begin to linger; but when too far gone to the pig dealer. The disease in general is not abated at present from what it has been a year before. He, at the

Professor *J. Gamgee.*

14 June 1864.

request of Mr. Fleming, cow feeder, signed, along with others, a paper against Professor Gamgee about his table of statistics; but he never saw that table, and did not read what he signed." Then William Orr "concurs with the above in all particulars. Mr. Mackintosh prevailed on him to sign. The disease is not decreased in the least in the present time from what it has been often formerly."

2687. You have just read a statement made by Mr. Morton, a dairyman in Edinburgh?—Yes.

2688. He was one of the dairymen who signed the document?—Yes.

2689. Which document contained this: "That Mr. John Gamgee, veterinary surgeon, did not apply to us for, nor obtain from us, any return showing the number of cows"?—Yes.

2690. Mr. Morton, in the statement you have just read, admitted you had asked him questions respecting the disease in his dairy?—Decidedly. Will you allow me to explain how the evasion occurred in this matter. The first person I called upon was one of the most respectable men whom I could trust. I said, "You have signed a document against me, do you know what it was?" and he could tell me nothing about it. "Have you ever seen my statistical table?" "Not at all. They asked me if I ever gave you information. I never gave you information." This person happens to be an *employé* at the Post Office, and his wife takes charge of the dairy. I said, "Why did not you ask your wife?" We went up and saw her, and she said, "Yes, and I told Mr. Mackintosh that everything I told you was the truth." She had said this to Mr. Mackintosh, and then he had got the husband to sign that he had given no information whatever. So, in many instances, they have evaded the thing, and, in many instances, they got men to sign without knowing what they were signing. The inquiry has been most complete on this point with respect to 26 of them, and I can get the whole 90 in a very short time. I may mention that I have evidence with regard to one man who did not sign the document.

2691. Lord *Naas.*] Which document?—The document against me that Mr. Hall Maxwell produced. This person examined the statistics the other day; I showed him the number: he says, "The table of statistics I have examined with you, places my losses at below one-half reality, as I lost nine cows instead of four, in 1861-62; and I see that the losses of several of my friends have been stated decidedly below the truth. The table is no fabrication, and I wish the losses in Edinburgh were no higher than are represented in it; many of us then would be better off than we are."

2692. *Chairman.*] Mr. Hall Maxwell, in his examination, was asked the following Question, No. 2100: "Mr. Gamgee, in his evidence given before this Committee, in answer to Question 81, put by the Chairman, 'How did you obtain those statistics?' said, 'I obtained those statistics myself from many, and referred to the books of not a few. I then, fortunately, had some friendly dairymen who obtained from their friends the remainder. I at the time communicated to the Privy Council Office with regard to these important facts, and stated, that before the publication, I should adopt a further means of correcting my evidence. I got several of the cow dealers in my own study, who I knew supplied a considerable number of those persons; and I said, Now, here is Mr. So-and-so, who keeps stock, is that right?—Yes, he has lost so many during the last year. I can safely say, that in nine cases out of 10, he has lost more; he really has lost more, there is no doubt about that.'" That question was put to Mr. Hall Maxwell, and he answered, "That is what I allude to, the friendly dairymen and the cow keepers. The statement that has been read having been seen in the newspapers, the dairymen applied to the cow dealers, and I hold in my hand a document, signed by 20 cow dealers, who represent the whole trade, who attend the Edinburgh market, though some of them come from long distances; it is this: 'We, the undersigned, cow dealers in Edinburgh, hereby declare that Professor Gamgee did not receive from us any information for the purpose of preparing a report on disease in the Edinburgh dairies, for the year 1861-62, or for any other period; and that even had we been applied to by him, and had we been willing to have answered questions affecting the private concerns of our customers, it would have been entirely out of our power, and beyond our means of knowledge, to have furnished him with such details as those contained in his report.'" Then Lord Naas asked him (2101), "Are there any cow dealers of any importance in Edinburgh, who have not signed that?" His answer is, "I am informed, on the best authority, that the 20 signatures there represent every cow dealer who, either from Edinburgh, or in a wide district round, ever attends the Edinburgh markets." The question I wish to ask you is, whether, in the first place, the statement which you made before this Committee in your evidence is completely accurate; and, secondly, to mention to the Committee the names of any cow dealers to whom you referred whom you had in your study, and who gave you the information?—There were two persons that I had in my study; neither of them furnished me with details of the table; they merely corroborated the accuracy of those details; the one was Mr. George Prentice, of Toll Cross, and the other was a Mr. Martin; I think it is John Martin; he was in my study one morning for a considerable length of time, and I showed him many of the cases, and in every instance he said, "you are quite under the mark;" those were the two principal men.

2693. In your answer before the Committee to Question 81, you said that you got several cow dealers in order to correct your evidence?—Yes, in order to recognise whether it was correct or not.

2694. You never asserted that they gave you statistics?—I never thought of such a thing, for they never did; but I know all the cow dealers there, I have constantly spoken to them about the matter, and it is only now that they will not speak, because they have always been very communicative, and given me every information I wanted.

2695. You have also read the evidence given by Mr. Hall Maxwell respecting insurance?—I have.

2696. The Committee do not wish to hear any evidence from you on the subject; but if you will put in any observations you wish to make upon it they will consider whether it shall be added to the Appendix?—I will leave them here (*handing same to Chairman*). The only point on which I feel at all anxious was this: Mr. Hall Maxwell spoke as if there was a possibility that the companies

panies whose losses I had referred to had been managed recklessly. Now, I was most careful to inquire into the whole of that matter, and the evidence is most complete. In my evidence before this Committee I did not adduce one company, but I brought forward three, and they all tally to a fraction per cent. Now, it is very remarkable if mismanagement leads to the same result in every instance.

2697. Lord *Naas.*] Referring to this document, which is quoted by Mr. Hall Maxwell, in Answer 2096, can you show the Committee the name of any cow feeder who signed that document who personally gave you any information?—I happen not to have my report with the name on. That was after consultation with Mr. Simon. I have not by me the table with the names; I have a copy of the table; I have preserved it amongst my proofs; but, of course, I can mention a number of persons.

Professor *J. Gamgee.*

14 June 1864.

2698. Have you seen the signatures of the dairymen to this document?—No, I have not seen the document. It has never been shown me. I can supply you with further information if I have till Friday. I have had no time; I only heard of this on Friday morning.

Mr. DAVID DUNCAN, called in; and Examined.

2699. *Chairman.*] I BELIEVE that you reside in Glasgow?—I do.

2700. You are a butcher?—Yes.

2701. You wish to make a suggestion to the Committee respecting a clause to be introduced into the Cattle Diseases Prevention Bill?—Yes.

2702. Have you a copy of the clause with you?—Yes; it is section 6, part 1, which I refer to.

2703. Will you be kind enough to read the clause as you wish it, and explain to the Committee your reasons for wishing it introduced?—I will. "If any cattle slaughtered within seven days from and after the purchase thereof shall be declared by the cattle inspector, or other authorized person appointed and acting under the powers of this Act, to be unfit for human food, the owner who shall have sold such cattle shall refund to the purchaser thereof the price paid, together with damages for any loss and injury which he may have sustained by reason of, or consequential to, his having purchased such cattle," I may say here that I think we do not insist on this part of it, "together with damages for any loss or injury which may be sustained." If we get the price of the animal refunded, which we paid for it, that is all we ask; that is the part which we agreed to delete.

2704. What is the reason that you wish for such a clause in the Bill?—Because, first of all, we may buy a fat animal, or a number of fat animals, which may be affected with the disease of pleuro-pneumonia or lung disease, that may not be visible at the time we buy it on market day. We may buy that animal or animals with that disease unknown to us, and give the full market price for that animal, supposing that there was no disease on it.

2705. Do you mean that it is possible you may buy a diseased beast, not knowing it to be diseased, and then, in three days, the meat of that beast be condemned as unfit for human food?—As a butcher, I would not say that it would be condemnable, but we have had instances in Glasgow where animals in that stage have been condemned against, and in opposition to, the opinions of respectable and experienced butchers.

2706. Then, the point which you really complain of, is the inspection of the meat at Glasgow?—As it is at present.

2707. Have you any power of appeal in Glasgow?—No.

2708. Is that under the Local Act?—Yes, the Glasgow Police Act.

2709. Have you made a representation to the local authorities?—No, we have not; the former way of inspecting cattle in Glasgow up to within the last two or three months, was, that the inspector of diseased meat was the ordinary inspector of police. There are a certain number of policemen stationed at the slaughter-houses, and all animals that are brought into the slaughter-houses are seen by them. Consequently, animals showing signs of disease are waited upon until such time as they are dressed, and they may be locked up till they get respectable butchers to inspect them and pass their opinion upon those carcasses; or there is another way: these diseased cattle may be dairy cows; the parties send them to the slaughter-houses for the purpose of being killed, so that they may be inspected; they report those cases to the police, and the police put butchers on them to see whether they are fit or unfit for human food. That was the usual way, and the decision of two or three respectable butchers was generally final; but the chief superintendent of police applied to the Town Council of Glasgow for permission to bring in a veterinary surgeon on some occasions to inspect the carcasses of diseased animals; that veterinary surgeon is a Mr. M'Call, and, since he has been appointed, ofttimes, when the carcasses ought to have been passed, they have been condemned, and the butchers' opinion was thrown aside.

Mr. *D. Duncan.*

2710. So that the difficulty in which you are placed arises from what you consider to be too strict inspection, or an incorrect inspection?—Yes, an incorrect inspection.

2711. You think that, for any loss to which you are subject in consequence of the incorrect inspection, it is right that the person who sells the beast to you should be liable?—Certainly.

2712. Why?—Because, if we have bought those animals, and given a fair price for them as in a sound condition, if they are killed within four days, or seven days,—say four days, as we agreed with you yesterday,—and they are condemned on account of disease, we ought to have the right to fall back upon the disposer, because no animal can be subject to condemnation within four days after the day of purchase, unless the disease must have existed long prior to the day of purchase.

2713. You mean that no animal would rightly be subject to condemnation as unfit for human food that was not diseased at the time it was sold, if killed within four days?—Certainly.

2714. Your grievance is, not that the animal was rightly condemned as unfit for human food, but that it was incorrectly condemned?—That is our grievance at present, but that cannot always be the case. There may be animals condemned, although they showed no signs of disease when we bought them. A butcher might consider them fit for human food; but still we have no appeal, and no way of protecting ourselves, unless

Mr. *D. Duncan.*

14 June 1864.

we fall back on the disposer of those animals for the price of the cattle.

2715. We will suppose, in the first place, that the meat is improperly condemned, that the meat really is fit for human food, but has been condemned; on what principle should the person who sold you the beast bear the loss any more than the butcher to whom it belonged at the time it was killed?—He ought to have a power of appeal then.

2716. Mr. *Miller.*] Who ought?—The disposer.

2717. *Chairman.*] Do you mean by the disposer the person who sold it to you?—Yes.

2718. Why should you not have the power of appeal rather than the disposer; why is the liability to be put on him if the beast is improperly condemned?—I should be agreeable to have the power of appeal. The butchers are on the spot at the time, and they might do it more immediately.

2719. If the beast has been improperly condemned, nobody ought to be subject to loss, in reality?—But how can you get out of that?

2720. There is no reason why the owner should be subject to loss, any more than the butcher?—That is a thing which we cannot enter into at all, because if it is condemned it would come to this. If the animal was improperly condemned, the powers and authorities that gave that man the power of condemning that animal ought to pay the expense. They should be responsible for their servant.

2721. Let us take the case of a beast that is properly condemned as unfit for human food. I think that you put it within four days?—Yes.

2722. Do you mean to tell the Committee that it constantly happens that a butcher buys a beast which, if killed four days after he buys it, is unfit for human food, not knowing that it was diseased?—No; I do not think there should be any animal in that condition, sold to us to-day, and killed within four days from that date, unfit for human food. Only, according to the opinion of some inspectors, it might be condemned.

2723. Speaking generally, a butcher ought to know when he buys his beast, whether it is or is not fit for human food?—I think so.

2724. Lord *Naas.*] For how many days do you think the seller ought to be liable?—We first asked for seven days; but we have now agreed to take four days.

2725. Did you ever buy a beast which, if you killed it immediately, would be unfit for human food?—No; I never did.

2726. Do you think it would be fair that you should be able to make the seller pay for the beast which, when you bought it, was perfectly fit for human food, because you, a butcher, choose to keep it four or five days, and it becomes unfit for human food; do you think that it would be fair to make the seller pay the cost and the loss you have been at from not having killed the beast immediately?—I may say that I never killed a beast that was unfit for human food, and I have kept them for weeks after the day of purchase. I mean to say that there is no animal that may have shown signs of the disease to-day, and killed four days from this date, which can be unfit for human food; consequently, no injury can be done the disposer of the animal, although the animal is not killed.

2727. I understand you to say this: that supposing you buy a beast that is, to all purposes, in health to day, that if you do not kill it till Friday or Saturday, and if then it should turn out to be unfit for human food, you ought to be able to come down on the seller for the loss you have sustained; is that your opinion?—For the price of the animal, that is my opinion.

2728. Do you think that you, when you buy a beast, are not just as well able to discover whether it is in health as the seller?—No; we cannot.

2729. I do not see that?—It comes to this: the disease might be on the animal for several weeks before it shows signs of being affected, before it may show symptoms of taking nausea, of refusing its food, and signs of languidness, and the like. That may be, and the butcher not know it. You had evidence from the first witness declaring that, whenever they saw signs of that kind, they sent it off immediately to the butcher.

2730. Do you think it possible that an animal which had refused its food some five or six weeks could be in that healthy state that you, as a good judge of animals, and a butcher, would not perceive it?—I do not say that.

2731. But you have said so?—I beg your pardon; I say that the disease may be on the animal three or four weeks before it shows signs of the disease affecting the body.

2732. Then, how is the seller to find it out?—Because it takes nausea at its food.

2733. Your opinion, as a butcher, is this: that an animal can take nausea and refuse its food for some weeks, and that, when brought into the market, the butcher might not be able to see whether the animal is in perfect health?—I do not say that he has done that four weeks. I say the disease may be in it for four weeks before that takes place, and whenever it shows signs of that, he knows that the disease has begun, to a certain extent, and he sends it off immediately to the butcher.

2734. Still you are of opinion that an animal might have been ill for four weeks, and that it might present such an appearance in the market as that the butcher might not be able to find it out?—I think so.

2735. Can you tell me an instance?—I can give you many instances; I do not speak of dairy stock just now; I am speaking of fat stock that are brought to the fat cattle market for the purpose of being disposed of to butchers for slaughtering; they are kept in such a condition that they have great power of body and strength of constitution, and they are able to resist the effects of the disease for a certain time, and it is only after the disease grows on them that they show signs of yielding to it; that is the time, the turning-point, that the feeder disposes of them to the butcher.

2736. And that is the time when you think that the feeder can discover it, and the butcher cannot?—Yes; because the butcher has no opportunity; they are standing on stones amongst other cattle in the market.

2737. Has not the butcher an opportunity of seeing it; if he is going to keep it for four days, he must give it something to eat?—Certainly.

2738. If he gives it something to eat within an hour or two after he buys it, and if the animal refuses its food, then do you not think the butcher might have reason to suspect that the animal is not quite right, and that his duty then would be to kill it?—Certainly, he would do so.

2739. Is not that a sufficient precaution?—It is

is not, because the butcher, not seeing that in the market, may mark off those which he wishes killed at the time, and send the beasts off to the park, and he may not have an opportunity of seeing them again.

2740. Is there nobody to look after them at the park?—The parks are so fenced that it is not required, and we only have them for two or three days.

2741. Is it not possible that the animal may take pleuro-pneumonia within four days, and be very ill, having been in perfect health when first bought?—I do not think the disease is so rapid as to do that.

2742. Did you ever know an instance of an animal taking the disease of pleuro-pneumonia, and being almost, you might say, in a dying state in 48 hours?—It might be, but not to my knowledge; I have never seen it.

2743. It has been stated here in evidence that it does frequently occur; we will suppose it did occur; do you think, then, that you would have a right to come on the seller of the beast?—I think that those instances must be very few and rare indeed to make a rule for that exception; I firmly believe that in those cases it may be very doubtful that the party knows how long the disease was on the animal before it was in that state.

2744. Suppose that was the case. Do you think it would be unfair to come down on the seller for the value of the beast, provided the beast was perfectly healthy when sold, if you could be certain that such was the case?—I do not see that there is any likelihood of any certainty in it.

2745. Mr. *Hodgkinson.*] Is it not a fact that a very large proportion of the condemnations take place in consequence of putrefaction having set in?—I speak of Glasgow when I say that most of the cattle condemned as unfit for human food have shown signs of blackness in the flesh and openness in the fibre, and altogether have shown no signs of health. Sometimes they are so bad that dropsy has set in, and permeated the whole body.

2746. Do you mean that they are condemned after they are killed?—Yes; it is the meat that is condemned.

2747. Suppose, in very hot weather, a carcass was found in a butcher's shop in a state of incipient putrefaction, and it was condemned, would it not be very hard that the butcher should suffer?—Those cases never come on the farmer. That is our own risk.

2748. That would be a case under your clause, would it not?—No.

2749. I do not see that the condemnation is in consequence of any disease?—This Act here does not take notice of putrefied meat.

2750. Take your own clause. If it is condemned as unfit for human food, you are to fall back on the farmer for any loss which you sustain?—This must be read and the sense of it taken in connexion with the other clause.

2751. Your intention is, that the clause should be so framed as to apply only to cases of disease?—Just so.

2752. Cannot you perfectly protect yourself now by taking a warranty from the farmer?—At present they do not and will not give it.

2753. At present, you mean, the practice is, to buy for better or for worse?—Just so. We do not buy cattle that show signs of disease, as to be the worse for that disease at all, unless it is unprincipled traders who are ready to catch at those instances as often as they can, and they buy them at an inferior price. We do not wish to have a clause to protect those men at all. We wish to protect the honest trader, who wishes to give fair value for a sound article.

2754. Cannot you in each case take a warranty from the farmer that his animal is free from disease?—We could, and would be satisfied with that if we could get it; but we cannot get it.

2755. Then you want an Act of Parliament to give you what you cannot get without the Act of Parliament from the seller, and which he declines to give?—This is an Act for the prevention of spread of disease in animals; and it includes the butcher, so far as he may have carcases of diseased animals in his possession. He may not only forfeit those carcases, but be the subject of the penalty.

2756. *Chairman.*] I think you are mistaken; there is nothing with regard to dead meat in the Bill?—"The butcher" is not expressly said, but it is "Wherever it is found." It is very likely to be found in the hands of butchers.

2757. Mr. *Hodgkinson.*] You heard the evidence of the first witness examined to-day, and you heard him describe the case of an animal which showed incipient pleuro-pneumonia, and which he sent to a fair?—Yes.

2758. Would it not be the fact that the butcher would buy meat showing incipient pleuro-pneumonia at a somewhat less price than if it was altogether free?—If he sees it, he certainly would.

2759. Suppose he saw it, and bought it at a somewhat less price, and it was afterwards condemned; would it not be very unfair to the farmer, that the butcher having bought it with his eyes open, should resort to the farmer?—Certainly, that would be an injurious and an unfair thing, and we do not want that.

2760. Your clause goes to that?—No. If parties with their eyes open, buy animals with the disease on them, they run the risk; but we are speaking of animals that may be sold to-day, and the disease not visible.

2761. You are speaking of one thing, and your clause is speaking of another. Your clause is general in its terms?—No; the sixth clause of the Bill stands thus—(*reading same*). We cannot see our way clear to prove this guilt on the man who sells the animal. We are not in a position to prove that he either knew or had reasonable cause to know. We wish to make ourselves right in this matter. If any of the animals are sold within four days, it is presumption enough for us that the man had reasonable cause to know or suspect the animal to be diseased before the day of sale, as he had an opportunity of knowing, and we had not.

2762. Your clause gives a right to recover the price from the farmer, even though the farmer represented to the buyer that the animal had incipient disease on it?—No.

2763. *Chairman.*] The effect of your clause to that extent was pointed out, and you proposed to insert certain words, that cattle should be sold for a sound price?—Yes. This clause must be read in connexion with the other The amendment must be read in connexion with this, and the sense of it can only be understood fully by reading both. Now, as we find that there is a difficulty in carrying this guilt to him, and laying it on him, because we are not able to prove that the man either knew or had reasonable cause to know that the man

Mr. *D. Duncan.*

14 June 1864.

was selling a diseased animal, we have put this in, as simplifying it as far as we are concerned, that if the owner of any diseased cattle shall sell those cattle to the butcher, and those cattle shall be slaughtered within four days from and after the purchase thereof, and shall be declared by the cattle inspector or other authorised person appointed, and acting under the powers of this Act, to be unfit for human food, the owner who shall have sold such cattle, shall refund to the purchaser thereof the price paid.

2764. Mr. *Miller.*] Have you, yourself, bought any animal, at any time, believing it was in a sound state, and having slaughtered it, the flesh of that beast had been condemned as unfit for human food; has that ever happened to you?—It has never happened to me, that cattle have been condemned which were in my possession; but I have killed fat cattle in prime condition, that have had not only one lung, but sometimes a lung and-a-half bad, which showed no signs of it till it was killed, and I did not know the disease existed until the animal was killed. We know that if inspectors of the class of the one we have now in Glasgow came on that animal, he would, by virtue of his theory, have condemned that animal.

2765. Is it so, that you frequently buy cattle and send them off to the slaughter-houses, without putting them to feed, or having an opportunity of ascertaining whether they may be diseased or not?—Certainly.

2766. You would then send them off immediately?—I would send them off immediately out of the market.

2767. On whom is it proposed that the loss should fall, in the case of condemnation; of course, you have only to do with the person from whom you bought; he is usually a salesman, acting on commission, is he not?—Yes, usually.

2768. You would not have him to pay the cost?—No; but he could fall back on the owner.

2769. The owner also, for instance, is a man who might not be situated so as to have an opportunity of ascertaining that disease existed; he is a dealer, who may have bought cattle at a fair, and sent them off directly to the salesman for sale, it would be very hard that the loss should fall on him; how is he to be indemnified?—He must fall back on the farmer he bought them of.

2770. Then, it becomes a question which it will be very difficult to decide, because two or three weeks might elapse after their having passed out of the farmer's possession; it would be difficult to decide in whose possession it was when it became diseased?—All we have to do is to fall back on the party who disposed of the animals to us, and let them put themselves right if possible; but, according to the present mode of conveyance, it is very seldom the case that cattle are bought from the farmer two or three weeks before they come to the butcher; it has been known that cattle bought in Aberdeen on the Monday, were in Glasgow on the Thursday.

2771. That is bought by a dealer at a fair?—It may be.

2772. That dealer has no opportunity of knowing any more than you, whether the disease exists in the cattle?—That may be; but he is, perhaps, personally acquainted with the farmer, who would know at once where he got them, and he would know the condition of that man's stock, whether there was disease amongst them or not; he has the chance of safety, where we have not.

2773. Then, in the case of putrefaction, for instance, on that account cattle might be condemned, and there is no provision in the clause which you proposed as an amendment to guard the dealers against loss in that respect?—We never think of bringing them in as responsible parties for any loss from the effects of the weather.

2774. There is nothing to prevent it?—This clause must be read in connexion with the other. It is the selling of an animal diseased; if an animal becomes putrefied from the effect of the weather, that is a different thing. That meat is not in a state unfit for human food, because of disease.

2775. A difficulty would arise as to the proper construction of it?—There is an inspector, of course, and it is from the decision of the inspector that we know whether the meat is unfit for human food. He would be able to tell whether it was from any disease, or from the effects of the weather.

2776. Mr. *Holland.*] You state you would like a warranty if it could be given?—If we have these clauses, we do not require it; but if we do not get these clauses, we shall be under the necessity of having it.

2777. Do you know instances of such a system anywhere?—Not amongst cattle, so far as butchers are concerned. It may be with stores, but so far as butchers are concerned, there is no such thing.

2778. You do not know that a system of warranty is worked abroad, and worked satisfactorily?—I believe it is.

2779. You do not know it from your personal knowledge?—Not from my personal knowledge, although I have been in some of the butchers' shops in Paris, and the slaughter-houses there, and I have been informed that they have a system of that kind. A butcher in Paris, I believe, can buy to-day, and if any of the cattle are found unfit for human food within nine days, after the day of purchase, he has full power of falling back on the disposer for the refunding of the money, and it works well. We are only asking four days.

2780. Sir *William Miles.*] Did I understand you that what you really want is to cure imperfections in your Glasgow private Bill relating to inspection?—Not at all; it is not to cure imperfections there at all, if this Act comes into operation it sets it aside altogether. I am not here for that purpose at all.

2781. Are you perfectly satisfied with your Glasgow Act?—As it originally stood we were, but we are not quite so much satisfied at the present time; at the same time it is workable.

2782. I understood you, at the same time, to state that you object to the person who is appointed inspector?—Yes; not exactly appointed inspector, but the superintendent of police got permission from the magistrates of Glasgow to bring in that gentleman, who is the veterinary surgeon, to examine for the prosecution, as it were, on behalf of the police. He goes upon this theory, that if an animal has disease in the lung at all it ought to be condemned, without taking into consideration the exact condition of the carcass, but merely if it has had pleuro-pneumonia that it is condemnable, and unfit for human food.

2783. If at present a veterinary surgeon inspects cattle and meat, and states whether it should be condemned; if you will not leave it to the veterinary surgeon whom would you appoint as your inspector?—A practical butcher, or some two or three practical butchers.

2784. The

2784. The butcher does not know whether he has diseased meat or not, and wants to throw it on the owner?—He may not be able to see that when the animal is alive, but I think would know very well, from his experience, whether the carcase was fit or unfit for human food.

2785. Do you know the diseases of quarter soil, or black leg?—Yes, I have heard of those diseases; not many of them come our way.

2786. Still, may not the owner have sold an animal of that description without any knowledge whatever that it was likely to be affected by it, and may not the butcher have had it, and then it became affected?—I do not think so.

2787. Do you know any thing at all about the diseases?—I have heard of the diseases amongst stores.

2788. Do you know any thing about it?—No, not in my own practice.

2789. Colonel *Barttelot.*] I would wish to know, as a practical man, whether you think that your clause would work as fairly for the seller as for the buyer?—I am sure it would.

2790. Do you not think that it would be restricting the letter to the great advantage of the butcher?—I do not think so.

2791. Do you mean to say that if a man brings, in perfectly good faith, a beast to the market, which you purchase, that that man when that beast has been condemned, should bear all the loss, and that you should bear none; when are we to know that they bring them in good faith?—Were you not told here to day by a witness that whenever he saw the disease upon them they turned them off to the butcher; but he did not give you evidence as to whether he informed the butcher that that animal was diseased; it is their look out to send the animals away, and get whatever they can for them, and we wish only to protect ourselves against any such impositions.

2792. If you profess to be a judge of your business and your trade, surely you ought to know whether an animal is in that state or not?—We know when the disease has got to that stage that it shows violent symptoms of disease, of course we see that; but there are stages of the disease when the animal is in such a condition that it is impossible for you to know it at the time, and when you have killed the animal the animal may have one of its lungs entirely gone.

2793. Supposing you buy an animal of that sort which is at all diseased, but which passes muster by an inspector, from some cause or other which I will not stop to argue upon, you buying that animal at a reduced price, do you sell it to the customers at a reduced price?—There are men whom we call unprincipled tradesmen, who traffic in that class of animals; but I beg leave to state that such things never come into my hands, and I never look for them.

2794. But your clause would apply to all classes?—No; because this clause, as I say, must be taken in connexion with the other. It says "if he gives notice." An animal has disease on it, the man buys it at a diseased price, an inferior price; consequently, the Act cannot screen or protect that man. He must take all risk, if he buys it at an inferior price.

2795. You stated distinctly, as I understood you, that although, in your opinion, the animal was perfectly fit for human food, yet that it was frequently condemned?—There are instances of such being the case; I do not say frequently, but there are instances.

2796. Is that within your own knowledge?—Within my own knowledge.

2797. Condemned by the veterinary surgeon at Glasgow, who is appointed inspector?—Yes.

2798. You would, therefore, wish to do away with the veterinary surgeon, and appoint three butchers at Glasgow as inspectors?—The Police Act only provides that there shall be two or more respectable butchers called in to examine carcasses suspected of disease. This is in addition to that, the bringing in of a veterinary surgeon. I have no objection to veterinary surgeons coming in, if they show common sense or reason for what they say or do.

2799. If the butchers were appointed, although, no doubt, they would act fairly to all parties, yet do you think that the seller would be satisfied when he was to be judged by the very men to whom he would have to sell his meat?—I believe he would. According to the present working of this Police Act, no party ever yet found fault with the butchers' decision, because the butchers who are called in are men of the first standing in the trade, and have no connexion with any such traffic with meat, and they do not know whose carcasses they are when they are taken in. They go in and examine them, and pass an opinion according to their judgment, without any prejudice.

2800. And they would pass any meat which was fit for human food?—Certainly; and I think if butchers were taken in, it would be a protection to the farmer, to a very great extent.

2801. Sir *Thomas Burke.*] Are you in the habit of buying largely in the Glasgow market?—Yes, I do considerably.

2802. You buy yourself?—Yes.

2803. Do you often buy a diseased beast?—Not often.

2804. I do not mean a diseased beast, but a beast which, when you opened it, you found bad?—I have not had an animal touched, even in the smallest degree, with pleuro-pneumonia for the last eight months.

2805. I suppose you buy a great number a week?—I buy, on an average, from six to eight a-week, just now.

2806. Does it often happen that your neighbours, I refer to first-class butchers, as you appear to be, get an animal of this sort?—At certain seasons. This season they have been very clear of it. At certain seasons I have seen that occur every week; that animals, when killed, have a considerable amount of pleura-pneumonia in them, and yet are in prime condition.

2807. Then why do you want to insist on that four days or seven days; why do you think that the butchers would want four days; you say that you have been eight months buying largely every week; do you not think that your judgment and skill are sufficient to know a diseased beast from a sound beast?—In certain stages it is impossible; I do not care what the butcher's experience is.

2808. You have been eight months without finding one?—That is on account of the rarity of the disease.

2809. Have you been in any market in Glasgow for the last eight months, and not observed diseased beasts?—I have seen cases of diseased animals, but chiefly amongst cows; but they were very rare indeed.

2810. Has it ever occurred to you that an animal which has looked healthy and well in the market, according to the judgment of a butcher like you, and which has been killed in four days, and

Mr. *D. Duncan.*
14 June 1864.

and opened, has had disease?—Certainly; I have known it.

2811. Did you ever know it in your own experience?—Opening them after having had them four days in my possession, and finding the disease; I have had that.

2812. Was it loss of weight, or what did you lose?—I cannot exactly say what I may have lost by it.

2813. What did you lose more than loss of weight?—I lost nothing save the lungs. If an inspector would come in and condemn that animal, what protection have we?

2814. Mr. Alderman *Salomons.*] Do you mean to say if you found an animal that has some defect by which it would not be unfit for human food, you should have a right to go back to the seller and get compensation from him?—It is only in case of those carcases being condemned as unfit for human food by the inspector that we ask for a repetition of price.

2815. In the whole of your experience, do you know of one case such as you speak of, that an animal looking perfectly sleek and healthy in the market, has become unfit for human food, from disease, being slaughtered within four days?—I never did, according to our theory of wholesomeness; but then if an inspector comes in and holds a different theory from us, and his word is final, what refuge have we?

2816. Do you think because you happen to have, or because there might be, a stupid inspector, that Parliament should legislate and establish the principle of warranty for four days, for all the cattle sold in Scotland and in England?—No, not merely for the case of a stupid inspector; I do not expect that there should be any man put there that would be stupid; but still you may find some men whose theory goes that way, that they consider all carcases are unfit for human food because they have lung disease.

2817. Does not Parliament always legislate for the many and not for the few cases; you would not ask us to establish a principle which would change the whole practice of the cattle trade, because there is the possibility of an accident of the kind you speak of occurring?—First of all we do not ask Parliament to pass an enactment specially for us; here is a Bill which Government has brought forward, and we only wish to amend a clause that would affect us; secondly, we consider that it would apply to the whole trade throughout the kingdom.

2818. Would there not be a considerable amount of litigation if we did pass it. Take the London market. The chances are that a butcher when he kills an animal, finds some disorder which affects in some measure the sale. Would he not consider that he had a claim for compensation from the seller; would not that encourage constant litigation; would not the courts be full of these difficult questions, whether the seller knew it or not?—That may be in some cases; but I consider that your attention is directed chiefly to the disease called pleuro-pneumonia; and it is of that disease alone we are speaking. I consider if there are any carcases condemned within four days from the day of purchase, on account of this disease, the lung disease, or pleuro-pneumonia, that we have a right to fall back, confining ourselves to that. The others are mere nothing, in comparison.

2819. Is not the cattle trade in Scotland as in England, a ready-money trade; a man sells his beasts and the buyer pays his money, and there is an end of it?—Yes.

2820. He would have to pay it long before four days?—Business is chiefly done through cattle salesmen or dealers, who know us very well; I dare say they would give credit for the time specified.

2821. Then you throw an additional liability on the jobber, on the middleman; will he not charge something extra for the risk?—That is a matter for consideration.

2822. That will increase the price of meat?—It would not increase it so much as if this Act passes as it is.

2823. *Chairman.*] Will you be kind enough to put in to the Committee a copy of the clause in the form which you now propose it to be inserted in the Bill?—I will. (*The same was put in. Vide* Appendix.)

2824. Have you any other observations to make on that subject?—No. I may just say that the second witness you had, I believe, is a farmer or a grazier, I cannot say which; but it would appear that his mind is exactly the same as ours in this matter, and that is not coming from butchers at all; he thinks that if a butcher should innocently buy an animal or animals on a market-day, not knowing that they had that disease, it would be quite fair that the farmer should be at the loss, even though not killed within four days: that is the opinion of a farmer.

2825. Mr. *Hodgkinson.*] Would not the effect of that clause be to place farmers very much at the mercy of unprincipled butchers, in this respect, that a carcass was condemned, and a farmer told it was a carcass which had been bought of him; what means would he have of identifying it or knowing that he was not imposed upon by a beast which had been purchased at an inferior price?—This could be done, which only occurred to me as you put the question. There might be a special mark on the hide, clipped out with the scissors in the presence of the party who disposed of it, and the inspector or others would see that that was the carcass which was taken. Besides, if the farmer could prove that the animal was sold at an inferior price, that should relieve him of any responsibility.

2826. The inspection does not always take place before the carcase has been cut up into joints, does it?—No; when they are hanging in the slaughterhouses, killed. We have public slaughterhouses. We have no private slaughterhouses, as in London.

2827. That would apply to Glasgow only?—Yes, and to Edinburgh.

2828. It would not apply to London or to provincial towns in England?—We have not at all events the same opportunities of acting deceitfully as those who have private slaughterhouses have. I do not think anybody would try that on, except those who make a traffic of that trade.

2829. Mr. *Miller.*] How long have you had inspectors at Glasgow?—I suppose it has been before I was in connexion with the trade at all; before I was in business for myself, 12 years ago.

2830. Has any change taken place in the mode of inspection since you have been in business?—No; except the change of calling in Mr. McCall, a veterinary surgeon, and he has not been regularly called in. He has been merely called in in a few cases.

Veneris, 17° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Baring.
Colonel Barttelot.
Mr. Beecroft.
Mr. Caird.
Mr. Joseph Ewart.
Lord Naas.
Mr. Hodgkinson.
Mr. Leader.
Mr. Leslie.
Sir William Miles.
Mr. Miller.
Mr. Alderman Salomons.
Mr. Thompson.

T. G. BARING, Esq., IN THE CHAIR.

Mr. JAMES HIGGINS called in; and Examined.

Mr. *J. Higgins.*

17 June 1864.

2831. *Chairman.*] I BELIEVE you are the Inspector of meat at Leeds?—I am.

2832. Under what Act have the local authorities of Leeds power?—Under the Improvement Act.

2833. Under a local Act?—Yes, under a local Act.

2834. What market do you inspect, the dead meat or the live meat market?—I am inspector of dead meat and slaughter-houses; I inspect all the slaughter-houses in the borough of Leeds.

2835. Have you the power of inspecting all animals at the fat cattle market?—Yes.

2836. Do you inspect them?—Yes, I do.

2837. What power have you over them in any way?—I have the power under the Nuisances Removal Amendment Act of last year.

2838. That is with regard to the meat only, not with regard to live beasts?—I think it is, but I do not interfere with live cattle.

2839. You do not interfere with them?—No, not in the market.

2840. Have you condemned much meat at Leeds?—Yes.

2841. What class of meat?—The carcasses of diseased animals.

2842. From what diseases?—From various diseases, particularly pleuro-pneumonia; a very large number of cattle are affected with pleuro-pneumonia.

2843. Do you condemn the carcase of a beast that has had pleuro-pneumonia in any stage?—No.

2844. In what stage?—In the more advanced stages of the diseases.

2845. Do you find it easy to tell whether it renders the meat unwholesome or not?—Yes.

2846. Do you know whether, under the Improvement Act, the local authorities have power to inspect the live markets, and to exclude a beast unfit for human food from being sold in the market?—I do not think they have.

2847. Do you think that power would be rather a good thing to have?—I think parties ought not to be allowed to send into a live market cattle affected with a disease like pleuro-pneumonia.

2848. Do you mean because the meat would be unfit for food, or because the complaint is catching?—Because the complaint is infectious; there are very few people who would give an opinion with regard to an animal affected with pleuro-pneumonia in its live state as to whether it was fit for human food or not, until such time as the animal was slaughtered and he saw the effects of disease on the carcass. In judging this matter, we go entirely by the extent of the disease and the effect that the disease has had on the carcase.

2849. What particular signs do you go by?—They are various. The carcasses would be affected more or less by any disease. There are certain well-known signs that are the result of disease.

2850. Do you refer to the yellow membrane, or yellow stuff which you see inside the ribs?—There will always be that in very nearly every stage of pleuro-pneumonia; but it is the general effect that the disease has had on the carcasses.

2851. Upon the whole animal?—On the whole carcass.

2852. Have you seen a copy of the Cattle Diseases Prevention Bill?—Yes.

2853. Have you any suggestions to make with respect to it?—I think that the provisions with regard to not allowing an animal affected with pleuro-pneumonia to be taken away from the premises may act very injuriously in certain cases; and also, perhaps, very oppressively to the farmers. I think some means ought to be given in the Bill of allowing the farmers to send a diseased animal to slaughter at some proper place, and to have it slaughtered under inspection.

2854. To send the live animal, do you mean?—The live animal, taking due care to keep it separated from other animals.

2855. Do you think that a place might be set apart for the slaughter of diseased animals?—We have adopted that principle in Leeds for the last five or six years. A very large number of animals have been sent to Leeds to slaughter under inspection; scarcely a day passes without it. I had no less than eight to examine yesterday morning before I came away by the 12·30 train, and three were affected by lung complaint.

Mr. *J. Higgins.*
17 June 1864.

2856. Is there a great deal of pleuro-pneumonia now in the neighbourhood of Leeds?—We have a considerable amount.

2857. Mr. *Beecroft.*] Do you know of any instances of farmers and cowkeepers having suffered severe loss by pleuro-pneumonia amongst their cattle?—Yes, many in the neighbourhood of Leeds. I have here the names of a number of the farmers within the borough of Leeds, and within the district, for, perhaps, 10 or 15 miles round. Some have suffered very severe losses. Mr. ——, in the summer of 1862, lost 73 head of cattle by pleuro-pneumonia.

2858. Out of how many?—I do not know the quantity; he had, perhaps, 300 or 400; 64 of them were sent to Leeds to be slaughtered; all of them came under my notice, and were all inspected by me as meat inspector.

2859. Sir *William Miles.*] Did you pass all those animals?—No.

2860. You say you saw them all; how many of them did you pass?—I could not tell how many of that number I passed; I can only give the gross number for the year. Mr. —— lost 108 in four year years, nearly all of which were sent to Leeds. Mr. ——, in 1862, sent 30 to Leeds. Mr. —— sent 63 head of cattle last year affected with pleuro-pneumonia, all of which were inspected by me. Mr. —— and Mr. —— sent large numbers.

2861. You have in your hand a paper relative to the stock that has lately been lost round the place which you inhabit?—Yes.

2862. How many gentlemen and farmers have appended their names to that?—I have here the names of 28 who have suffered loss by disease among their cattle.

2863. What is the quantity of stock which they lost by pleuro-pneumonia, or which were killed, owing to pleuro-pneumonia, according to that paper?—This paper extends over three years, I have not the exact number; if you ask me how many were lost by pleuro-pneumonia during 1863, I can tell you the exact number.

2864. I think if you add all the numbers in that paper, you would have it correctly. You have given the number of gentlemen and farmers who had their herds affected with pleuro-pneumonia, and now if you add all the number of cattle you have got there, you get the answer directly. Will you do it at your leisure, and put it in afterwards?—Yes.

2865. Mr. *Beecroft.*] How many cattle affected with pleuro-pneumonia were sent to be slaughtered in the borough of Leeds during the year 1863?—Four hundred and sixty-seven.

2866. What means have been adopted in the borough of Leeds to prevent the sale of diseased cattle and diseased meat?—On account of such a large amount of disease of late years, particularly pleuro-pneumonia, after a very long and serious consideration the committee of the Town Council agreed to allow farmers and cowkeepers and owners of stock to send their diseased cattle to the public slaughterhouses of Leeds, to have them slaughtered under inspection. The mode in which farmers and owners of stock do it, in the neighbourhood of Leeds, is this: They send off a man with the diseased cattle, one or two cows, as the case may be. They send them either direct to a butcher, who at once gives notice to me of the receipt of such an animal, or he sends a note; sometimes a telegraphic message, but very often a letter, or a man may bring a note to me, stating that he has found a heifer or an ox affected with pleuro-pneumonia, and that he has sent it to slaughter. The animal is generally slaughtered in the public slaughterhouse, and then I examine it, and according to my opinion, and the best opinion we are able to get in the borough of Leeds, I judge the matter as to the carcass, whether it is fit for human food or not.

2867. How many carcasses of diseased animals slaughtered in the various slaughterhouses of Leeds have you examined during the year ending 31 December 1863?—Under our system of examination, during the year 1863, I examined 1,378 carcasses of animals affected with various diseases. They consisted of 737 beasts, horned cattle; 150 calves; 353 sheep; 138 pigs; amounting to the total that I have given. Of that number, I can give you the number passed or condemned. Out of 1,378 diseased animals which were examined by me, 780 were passed, and 598 were condemned as unfit for human food. Out of 737 diseased beasts which were examined by me, 543 were passed, and 194 were condemned as unfit for human food. That is about one in four. This paper is for three years, and there is very little difference. (*The same was put in.* See *Appendix.*)

2868. What proportion of carcasses of animals affected with pleuro-pneumonia did you condemn as unfit for human food?—About one in four.

2869. That is stated in that paper?—Yes.

2870. Have you reason to believe that milk cows affected with pleuro-pneumonia, or the foot and mouth disease, have been sold to the public?—I have. I think it was in 1862 that a case was reported to me by a respectable person, whose family were affected after using a quantity of milk. They were affected in a manner which he was led to believe was something similar to the foot and mouth disease in cattle. He had five children, and they were all affected with blistered tongues, and ulcers about the mouth. He was a butcher. He gave me this information; an investigation took place, and some of the milk was sent to Dr. Bishop, who was a member of our committee, and it was found that where this man got his milk from, the cows were all suffering from the foot and mouth disease. The milk was in a very unfit state to be sold.

2871. Is it not the practice of certain persons to slaughter, and dress their diseased cattle at their homes, for the purpose of sending the carcasses to London?—I am sorry to say that that has been a very extensive practice, and has been very prevalent; more particularly so in the neighbourhood of Leeds, before we adopted the present mode of inspection. Round about Leeds, the farmers now do not send many to London, because they can send them to Leeds, to be properly inspected. They are quite willing to do that, and they do not run the risk of any consequences, provided that they give proper notice. Very large quantities have been sent up to London, and there are parties who reside out of the limits of the town, such as butchers, who refuse to avail themselves of the privilege which we offer in Leeds; and, I am sorry to say, that they carry on a very extensive practice. There is no local authority or inspector to interfere with them.

2872. You mean in sending diseased cattle to London?—Yes.

2873. And other parts of the country?—And running

running them into large towns, such as Leeds and various other towns in the West Riding.

2874. Are there persons residing out of the borough of Leeds who are out of the limits of any local authority, and who are constantly in the habit of purchasing diseased cattle or carcasses?—Yes; I know the names of many parties of that kind; they are principally butchers, and have premises outside the boundaries where there is no local authority, and they carry on a very extensive traffic; they will buy all the very worst carcasses, take them to those places, and dress them. If the carcass is not so bad, they will, perhaps, send it to London or run it into a large town; if it is very bad, they will "bone it" and send the meat to the sausage-makers.

2875. For what purpose?—For the purpose of human food.

2876. In your opinion, who are the persons best qualified to act as cattle inspectors?—That is a disputable point; some are of opinion that he ought to be a professional man; others are of opinion that a practical butcher is best qualified to detect disease in cattle. I have many times been sent for to decide questions, even against professional men in the neighbourhood of Leeds, when the animal is not supposed to be diseased, and I have given an opinion both for and against many times.

2877. That is no answer to my question. I asked you what was your opinion as to who would be best qualified to act as inspectors?—I should be very glad to have the assistance of a professional man; I have no doubt that the assistance of a professional man would be a very great benefit to all inspectors, even to the most experienced persons.

2878. Mr. *Miller.*] How many markets have you got an inspection over at Leeds?—I inspect the whole of the slaughter-houses of Leeds and the whole of the butchers' shops.

2879. Have you any assistance?—No.

2880. How many markets are there?—We have no general market; we have the shambles and then the butchers' shops, which spread all over the town. There are 150 private slaughter-houses spread all over the borough.

2881. Is it possible for you to keep up a proper inspection of so many slaughter-houses?—Yes.

2882. Is there a thorough inspection?—Yes; very few diseased beasts come into Leeds without my knowing it.

2883. Do you inspect all the slaughter-houses?—Yes.

2884. In the event of any dispute as to your decision, is there any appeal?—Yes, there is an appeal to three respectable butchers. It was agreed by the Committee of the Town Council that, in cases of dispute, I should call in three respectable butchers, and I act according to their advice and opinion.

2885. Is it for you to call these arbitrators in, or is it a mutual appointment?—The committee select a number of names, and I select three out of that number.

2886. Their decision is final?—Yes. I have the power, if necessary, to call one of three medical men whom the committee have set apart if either I or the jury appealed to thought we required the assistance of a professional man.

2887. Besides the appeal to three butchers, in the event of your not agreeing, is it that you have an appeal again?—No. If I and the jury think that we require any further evidence, and if a medical man could assist us, we have the option of calling in one of three whom the committee have set apart. They are medical men, not veterinary surgeons.

2888. On occasions of condemnation of carcasses, is it the whole carcass of the animal that is condemned?—We condemn the whole carcass.

2889. How is it usually disposed of?—It is disposed of for feeding pigs.

2890. Do you not think that is detrimental to the health of the pig first, and then of the community?—I admit that it is not the best mode of disposing of them, and it is a very objectionable mode.

2891. That is the usual plan adopted with you?—It is.

2892. You never buy the carcasses?—No, they all go to feed the pigs, every one of them.

2893. Do you think, for instance, boiling down a carcass might produce a good deal of money by making it into tallow?—I allow the butchers to take off the fat if it is a very fat beast.

2894. What is done with it then?—It is delivered for tallow. I remember condemning a beast, a very fat cow, which was very badly diseased, and they took 17 st. 5 lbs. of fat off. It was delivered to the tallow-chandler under my inspection.

2895. How long did that animal have the disease?—I could not tell how long it had been diseased. It was condemned by a jury of five butchers, besides myself; we were unanimous.

2896. On whom does the loss always fall in the event of meat being condemned as unfit for human food?—Sometimes upon the farmers, and sometimes on the butchers. The butchers generally will buy them of the farmers to risk. They will buy them at a price for them to take the risk. At other times, a farmer will consign them to a butcher, and he takes the risk himself. If the animal is passed, he gets the benefit of it; and if it is condemned, he loses it. All he gets is the price of it, which is, perhaps, about 1 *l.*, including the hide, for pig meat.

2897. About 1 *l.* for an animal?—Yes, on an average, including the hide.

2898. Are there no dealers ever coming between the farmers and the butchers, that buy up at fairs and sell to the butchers in town?—There are very few diseased animals brought into our live markets; very few indeed. On account of our present mode of inspection, they are sent direct away. A farmer, in the neighbourhood of Leeds, knows that if he keeps his animal after the disease is visible on his premises, the chances of its being passed will be very small; and consequently it is their practice to send them at once. Generally speaking, they send them away before the disease could hardly be told by an unpractised eye.

2899. Do you think that a butcher may buy an animal as a sound animal, not knowing his business sufficiently to enable him to detect that the animal is diseased?—Very few will do that.

2900. They all know sufficient to protect themselves?—Yes.

2901. Then it rarely occurs that he is deceived in the matter?—Very rarely indeed.

2902. What effect do you suppose the scab in sheep to have on the mutton?—It depends upon the extent of disease. I have seen sheep that

Mr. *J. Higgins.* 17 June 1864.

have been scabbed, and when the skin has been taken off, the carcass was not affected at all; and I have seen them affected very much. It just depends on the extent, the same as with every other disease. I have seen them when they did not show the slightest sign on the carcass.

2903. Have you often had recourse to condemnation of the carcass of a sheep in consequence of scab?—Not often; we have not had many scabby sheep in the neighbourhood of Leeds, since I have been inspector.

2904. Do you think that there is a greater prevalence of disease now amongst cattle and sheep than was the case some years ago?—Yes; more particularly in cattle.

2905. Is there a greater prevalence of disease now, than some years ago?—I can remember when pleuro-pneumonia among cattle was unknown, and the foot and mouth disease also; when first I commenced business.

2906. Then do you think that scab, to render the meat fit for human food, and in order to protect the public, should be one of the diseases in the schedule of this Bill?—Under the Nuisances Removal Act, we can deal with any diseases if it renders the carcass unfit for human food; scab may be an infectious disease; if it is, I suppose this Bill is to keep it out of the market.

2907. You know it is infectious?—It is supposed to be; I do not know of my own knowledge that it is.

2908. It is very infectious?—I daresay it is; I do not think it is right to bring it into a live market.

2909. Sir *William Miles.*] May I ask what was your profession before you were made inspector of the meat market?—I am a butcher.

2910. Then you carry on trade now?—No, I devote the whole of my time to the duties of the inspection.

2911. As I understand, you have 150 slaughter-houses under your inspection?—Yes, in the borough of Leeds.

2912. Are you the sole inspector?—Yes.

2913. How often do you visit these slaughter-houses?—Some of them I visit many times a day; others I do not visit so often.

2914. Do you visit the others once a week?—I have no regular plan of visiting them; some of them I do not go near for a month.

2915. Do you not think it very possible, that being the case, that a great many diseased animals might be killed in these slaughter-houses, and sent away to London or elsewhere?—No.

2916. Why not?—I should soon get to know, if they were.

2917. How?—We have a large number of butchers in Leeds, who would not have them at any price, and no money could get them to allow them to go near the slaughter-houses; that is so with the great majority.

2918. Still, your small inspection is open to the objection that it may be done, is it not?—No; I do not think that it can.

2919. You have put in the number of diseased animals that you have inspected in the year; the number you have passed, and the number you have condemned; can you give us the number you have passed, and the number you have condemned with pleuro-pneumonia?—I cannot give you the number passed and condemned with pleuro-pneumonia.

2920. Have the animals that you have inspected been affected more with pleuro-pneumonia than with any other disease?—Last year, 1863, only, I kept account of the various diseases, and out of 737 diseased beasts which I examined, 467 of them were affected with pleuro-pneumonia; that is more than one-half.

2921. Will you be kind enough to describe the state of the carcasses of those which you passed, which you killed with pleuro-pneumonia on them?—In a very large number of them, no ordinary person could tell that they had been diseased at all. Two members of my committee were medical men, and they came into the slaughter-house to examine these beasts that were affected with pleuro-pneumonia; they could not find them out, unless I pointed them out to them.

2922. Will you tell us what was the particular appearance of the carcasses which led you to believe that they died of pleuro-pneumonia?—They are not allowed to die; they are slaughtered.

2923. Well, slaughtered?—In the first place, there is the state of the lungs; that is always palpable, and that is to be seen by any person. Any butcher could tell whether the lungs were sound or unsound, and whether affected with pleuro-pneumonia or dropsy.

2924. Could not the medical men, whom you called in, say whether the animal was diseased in the lungs as well as yourself?—Certainly, but this was the carcass.

2925. You have just told us that you called in medical men; that they could not perceive the carcass was diseased, that you could; and now you tell us it was from tubercles in the lungs?—I mean this: they go and look at a carcass. Here are a large number of animals with the lung complaint that are sent to slaughter. If there is nothing to see but the carcass, very few people could tell; it would require a most experienced person to tell.

2926. I have asked you the question, how you knew it was affected with pleuro-pneumonia, and the answer which you gave me was, from the appearance of the lungs; is there any other appearance?—Yes, there is.

2927. What is it?—The ribs would be affected more or less.

2928. How?—Animals are generally attacked in one lobe of the lung, and the lung that is diseased will attach itself to the side of the ribs when the animal is properly dressed, but can be removed, drawn away, or rined. The butchers cut across, and they then take the whole of the rind right away down. When that is removed, (in very many cases) there is no sign of disease at all.

2929. Then from you having been by profession a butcher, you could see whether that part had been removed, and the medical men could not?—Yes, unless it were by a very strict examination.

2930. Then the medical men whom you called in did not make that strict examination?—I pointed it out to them. On one occasion there were four or five of them. They said it was a new business for them, and they came for observation. They said they would like to see if they could find them out themselves. They (the diseased animals) were amongst a lot of others.

2931. Those carcasses which were passed were perfectly

perfectly fit for human food?—According to my opinion.

2932. As a butcher?—As a butcher I passed them.

2933. Would they sell at the market price, or lower than the market price?—Some of them would sell at the full market price, and some at rather less.

2934. As to those you condemned; will you be kind enough to explain their appearance?—When an animal has the lung disease, and the more advanced stage has set in, the animal then suffers loss of condition. The bones are affected; the condition of the meat is affected, and also the colour of the fat; and the carcass is affected all over more or less. The fat will be of a yellow, sickly, unhealthy appearance, and the kidneys, the heart, and the skirt will be all more affected, at least in the advanced stage. Between the ribs there will be an amount of jelly-like matter, and it would have gone into the meat, into the fore quarters, and in many cases when dropsy has taken place the chest will be full of water, and the carcass soft and flabby. When a beast has advanced to that stage, we consider it unfit for human food, and we condemn the whole carcass.

2935. Then, am I to understand you that it would be very much better if the Board of Health of Leeds in cases of dispute appointed a veterinary surgeon rather than a medical man to assist you in your inspection?—I have not been able to get any assistance from the veterinary profession in Leeds. There are so few of them who have aught to do with cattle. I took one of them into a slaughter-house a short time since, and told him the number of diseased cattle which I had to examine in a week. I showed him my book, the number of examinations in a week, and the number of examinations in a month: "Why," he said, "you examine more diseased cattle in a week than I do in a year."

2936. Then the veterinary surgeons of Leeds are very seldom called in by the neighbouring farmers and gentlemen if their herds are affected with pleuro-pneumonia?—No, they send them away to the butchers. They do no not call them in at all now.

2937. Colonel *Barttelot.*] I understood you to say that all cattle in the neighbourhood of Leeds affected with pleuro-pneumonia, of however bad a description, were allowed to be sent into the slaughter-houses of Leeds?—Yes.

2938. In fact, you think that is the best preventitive for the spread of the disease?—I think it is if proper precautions were taken, that they did not mix with other cattle on the road. They should all do as a gentleman near Ottley, who is the most sensible farmer I ever came in contact with, did. He put his cattle into a waggon, and he sent them right away from Denton Park to Leeds. They came in a waggon which would hold one, two, or three beasts. I must say for that gentleman, that he had allowed nine of them to die on his premises; and it was a very serious thing. He had bought 300 or 400 head of cattle. He came to me, and said he understood that we allowed them to come in under inspection. I gave him the best advice I could. I said, "Whatever you do, look after your cattle." Those beasts were in very good condition; I should say that they were worth from 12 *l.* to 14 *l.* apiece as grazing bullocks; and he sent them at once. I told him that his chance of getting them in would be all that the better provided he sent them away at once; and he used to send them in a large waggon with sidings. If farmers would always do that, the spread of disease would be very much lessened; but unfortunately they send them on the road, and they come in contact with other cattle.

2939. Do you think that pleuro-pneumonia has increased or decreased in the neighbourhood of Leeds during the last year or two?—It is rather decreasing this year.

2940. Has it not decidedly decreased in the last two or three years?—I have no means of knowing; my impression is, that up to last year it had not decreased. I think, from the commencement of this year it has decreased; according to the numbers each month, there are fewer each month this year than there were in the corresponding months last year. In May 1863, I had 53 head of cattle affected with pleuro-pneumonia brought into Leeds, and in May of this year only 23.

2941. Lord *Naas.*] Under what Act of Parliament do you discharge your duties as inspector?—Under the Nuisances Removal Act of 1863.

2942. You have no power to inspect live cattle?—It is disputable; I have inspected live cattle.

2943. Do you do this, in case it appears to your knowledge that there may be diseased cattle sold alive in the live market; do you follow them to the butcher?—Yes.

2944. Is that your practice?—It is.

2945. Then you do take steps to inquire in the live cattle market concerning diseased beasts?—Yes.

2946. And you find that that assists you in your efforts to stop the sale of diseased meat?—It does.

2947. Do you think that the powers with which you are invested by Act of Parliament by the local Act are sufficient to protect the public of Leeds from having a quantity of diseased meat sold to them?—Yes; I consider that the Act of 1863 gives the meat inspector all that he can wish for or desire.

2948. So that you think, if a meat inspector appointed under that Act does his duty, the public are sufficiently protected?—Yes.

2949. Do you think that is the general opinion in Leeds?—Yes, it is.

2950. And they are satisfied with it?—Perfectly satisfied with it.

2951. In case you require assistance in your inquiries, would you be able to get it; that is, if you require any deputy inspector or person to assist you in your duties, in case you found that you were unable to perform the duties yourself, would the authorities give you additional assistance if you asked for it?—Yes, I have the option of calling in the aid of a medical man at any time. My committee has selected the names of three; I can call in the assistance of any one of them at any time if I think fit.

2952. So that there is nothing to be desired in that respect?—Not as far as that is concerned.

2953. Have you read the Bill now before the Committee?—I have.

2954. Do you consider, if that Bill were passed, that it would give you any additional advantages or powers in the exercise of your duties?—Not much.

2955. Do you think that they are enough as it is?—I think that I can do all the work which is necessary

Mr. *J. Higgins.*

17 June 1864.

necessary to be done, with the exception of going into the live markets; when I go into the live markets, I go on the principle of persuasion; very often when I see a farmer bringing in cattle affected with disease, I tell him that he had better take them away to the slaughter-house, and they never refuse.

2956. Mr. *Leslie.*] You have no absolute power to compel him to do that?—No.

2957. You do not consider that you have?—I do not consider that I have.

2958. Lord *Naas.*] Do you think that power to compel him to take his beasts away is necessary to protect the public?—No.

2959. Mr. *Thompson.*] I think you were a butcher before you became inspector?—Yes.

2960. Of course you thoroughly understand the appearance and quality of the meat?—Yes.

2961. You have said, I think, that in some cases meat is really very much worse from cattle affected with disease which would not be detected by the public in general; are you of opinion that meat might be sold which was unwholesome, and which would not be detected by the public in the shop?—I believe that if there was an experienced inspector, an experienced practical butcher, who would know the condition of meat, he would always, if he did his duty sufficiently, protect the public from the use of any diseased meat which might be really unfit for human food.

2962. There might frequently be meat sold which was very much worse, but which the public would not detect unless there was an inspector who understood it?—Yes; they would sell anything, pretty nearly.

2963. You are probably aware that cattle, and pigs, and animals of all kinds, are sent in to Leeds in a bad state to be slaughtered; do you know where those animals are killed?—Yes.

2964. You think that they could not escape your notice; that there are no slaughter-houses where those animals are sent and killed in the night, that you are not aware of?—No, there are not; if there were, I should soon get to know.

2965. Have you sufficient authority to examine all these private slaughter-houses?—I have; I can go into them at any time, day or night.

2966. Then you think that, practically, you have sufficient power to find out all the cases of diseased cattle that are killed in Leeds and the immediate neighbourhood?—Yes.

2967. You do not suggest any additional powers that you require in order to enable you to find those animals?—As far as I am concerned, as meat inspector, I have all the power that I wish for under the Nuisances Removal Amendment Act.

2968. Mr. *Hodgkinson.*] You inspect butchers' shops as well as the slaughter-houses, I presume?—I do.

2969. Mr. *Miller.*] No live animals have pleuro-pneumonia detectable in its earliest stage?—No, I think not; it is very disputable.

2970. Then, a butcher cannot detect the existence of the disease in its earliest stage, before slaughtering?—I have seen butchers detect it very early; I picked out animals many a time when other people did not know; I have picked them out when parties have bought them in the market, and they were not aware that they had bought a diseased animal.

2971. Lord *Naas.*] In the very earliest stage, which has been alluded to, when the disease is very slight, do you think it is possible then that the meat could be in a state unfit for human food?—No; the carcass would have no appearance of disease whatever, not the slightest.

2972. And the meat nowhere affected?—It does not seem to have lost the slightest condition or colour.

2973. Mr. *Miller.*] Generally speaking, the disease must have existed in the animal before it is to be detected?—I do not know; sometimes it appears as a very rapid disease, and sometimes it appears latent.

2974. For how long?—I could not give any answer to that question; sometimes rapid inflammation will set in; we can tell by the loss of condition. If an animal is affected with any disease, the very first thing it does is to lose condition; and a butcher sees that at once.

2975. Mr. *Leslie.*] You mentioned an instance of an animal from which you got 17 stone of tallow?—Yes.

2976. Mr. *Miller.*] In that case what was the complaint?—It was an enlargement of the liver; I should say it was rapid inflammation.

2977. Lord *Naas.*] It was not pleuro-pneumonia?—No; it was a fat cow, which was going to be made up for our Smithfield Show.

2978. Mr. *Leslie.*] You may be aware that the law of warrant extends over nine days to a purchaser of stock in France and many places on the Continent. Would you, as an inspector of meat, consider it expedient to introduce such law into this country, thereby giving a butcher or purchaser of stock a claim over the person from whom he purchased the animal during those nine days?—I think, speaking off-hand, it would not be desirable. I think that it might lead to a deal of unpleasantness and litigation.

Professor JOHN GAMGEE, re-called; and further Examined.

Professor *J. Gamgee.*

2979. Lord *Naas.*] I MERELY wish to ask you the question, I was going to ask you the other day, when your examination was broken off. Referring to the document which is quoted by Mr. Hall Maxwell, in answer to 2096, can you show the Committee the name of any cow-feeder who signed that document, who personally gave you any information?—Yes, a number.

2980. Will you state them?—Here, for example, the first I come to is John Prentice of Toll Cross.

2981. I am speaking of the cow-feeders?—Yes, I have taken the cow-feeders; he is classed amongst the dairymen too.

2982. I am alluding to the document signed by 90 persons?—That is the document I have in my hand; I find John Prentice at the beginning; he is the sixth. Then I have repeatedly had information from John Beilby.

2983. When did John Prentice give you information?—At a number of times during the last four or five years; but, of course my inquiries were very specially in 1862, for the purpose of my report.

2984. I do

2984. I do not want to go through these names. Will you state to the Committee the precise nature of the information John Prentice gave to you with regard to this?—I am not prepared to tax my memory at the present moment, with the precise nature of the information received from each individual; but I may state generally that from a number of those persons I received information, such as I have printed in my report; with regard to one dairy I received information from Mrs. Simpson as to the number of cows.

2985. You are not prepared to state to the Committee the nature of the information Mr. Prentice gave you?—I am prepared to state the nature of the information.

2986. What was it?—As to the number of animals that were lost during the year by disease, and not only in his dairy, but in those of others too, concerning which he was well acquainted.

2987. Will you tell me the number of cows that Mr. Prentice told you he lost?—I have not the materials by me; I could not risk a statement upon that.

2988. From what then did you compose those statisticts?—I prepared the table at the time with ample materials, and those materials I supplied to Government; I supplied my manuscript to the Government.

2989. In preparing these tables of statistics, have you not documents which show the number of cows which were possessed by each of your informants, and the number of cases in which each of your informants declared they had died of disease?—Of course I have.

2990. Where are they?—I suppose they are amongst the manuscript of the report; I supplied them all to Government at the time, and there are letters in the Privy Council Office to prove that.

2991. Are there any other of those persons who signed this dairymen's memorandum who gave you information?—I may mention that I distinctly stated in my evidence, and I distinctly stated to Mr. Maxwell that I obtained this information partly directly and partly indirectly. I never asserted at all to what extent I had information from each individual person, but I have ample evidence to show that the inquiry was a strict *bonâ fide* one, and conducted with every proper care.

2992. We are not inquiring now into the general effects of your examination; we want to come to particular instances; I ask you to show the Committee any particular instance in which those persons who declared they gave you no information, did give you information, and the nature of the information they gave?—For example, here I have mentioned one, Simpson of ——— dairy, who gave me information as to the number of cows kept, the number sold, the number referred to the pig feeders, and transactions in relation to those cows. I have myself seen them taken away by the butchers during that very period, and I know all about the thing.

2993. Take Mr. Simpson; is he in this list?—He is. The names were suppressed.

2994. What names?—The names of the dairymen were suppressed in the report, from the same feeling as has been shown here.

2995. You furnished the names to the Privy Council?—Yes, of course; every one of them.

2996. Did you keep copies of those documents that you furnished?—Yes, I did, I believe, keep copies of them; indeed I know I have.

2997. Are you prepared to show the Committee copies of the documents you furnished?—Decidedly. I have not got them here. I must look over my manuscripts. They are very bulky, but I can easily get them.

2998. You are unable, in the case of Mr. Prentice, to state to the Committee the precise nature of the information; in the case of Mr. Simpson, can you say how many cows he has got?—I cannot give you that. I have not here the Table with the names attached to it, so I cannot possibly give you that.

2999. Did Mr. Simpson furnish you with information himself?—Mrs. Simpson, who takes charge of the dairy, did.

3000. But Mr. Simpson did not?—No; but to the person who got the document signed. Mrs. Simpson asserted that she had given me the information, and that what she had told me was the truth.

3001. I am not talking of her signing the document, but about your own inquiries; you received no information from Mr. Simpson?—No; I received it from Mrs. Simpson.

3002. Does Mrs. Simpson manage the dairy?—Entirely.

3003. Does Mr. Simpson take no part in it?—No; he is a post-office official; an inspector at the post-office.

3004. Did you get any information from a man of the name of Martin?—Of course I did; from John Martin, a cowdealer.

3005. When did you get that information?—I have tried to fix my memory as to the precise time; I believe it would be in the month of November 1862. He was the person who, in my own study, carefully compared a number of the statistics that I had, in a number of instances, and he asserted that, in every instance, I was below the mark.

3006. Did Mr. Martin give you any particular description of the state of affairs in his own dairy?—I am not aware that he is a cowfeeder. It is not the same person, probably; he is a cowdealer. I only referred to the cowdealers for general information.

3007. You took no particular statistics from the cowdealers?—No.

3008. It was only from the dairymen?—Yes; and of that, I think, I gave evidence the other day through my assistants.

3009. Then you have no document at hand which you can show the Committee to prove the particular nature and sort of information that anyone of the dairymen who signed this document gave you?—It is, most probably, in the Privy Council Office. If they have kept my manuscript, it will be there. I have supplied it all to Government.

3010. But you have not got it here?—No.

3011. With regard to the cowdealers, the nature of the information you asked them for was different from that you asked the dairymen for?—Of course, because they did not keep cows; and I merely wished to ascertain whether the facts I had from the cowfeeders were true. I have here a letter, dated 14th June 1864, from my solicitor, to whom I telegraphed, after the meeting the other day, for I was not then aware of the cowdealers' document at all. He says:—"Dear

Professor *J. Gamgee.*

17 June 1864.

"Dear Sir,—Your telegram arrived this afternoon, but I have only had time to see Mr. John Prentice. On calling for him, I fortunately found him at home. I asked him if he had given you information as to the disease in cattle. He says, 'No, I gave him no particular information.' 'What!' I said, 'did he never speak to you on the subject of the disease in his own cattle, and of its prevalence in the city?' He at once said, 'Oh, yes, many a time; we have frequently conversed on the subject.' I remarked, 'Do you not hold that to be giving information?' 'Well,' he said, 'it may be so; and no doubt Mr. Gamgee and I often discuss the matter.'" That is from one of the most respectable men in Edinburgh.

3012. Is Mr. Prentice a cowdealer?—Yes, one of the most extensive.

3013. He appears to have signed the dairymen's document?—And the cowdealers' too. If you look at the cowdealer's document you will see his name. As we are now on the cowfeeders' document, and the time I had, after Mr. Baring communicated with me the other day, was so short. I may mention that further inquiries have been prosecuted, and from Mr. Robertson I this morning received this letter.

3014. Who is he?—He is the solicitor who has made the inquiries. I have confirmatory documents here. He says: "Dear Sir,—I have made a hurried visit to-day to several of our Edinburgh dairymen and I find that few or none of them read the document, or had it read to them, which bears that they had given you no information as to disease prevailing amongst their cattle, while not one of them had heard anything of your statistics of the disease. The document, in short, appears to have been a sort of round robin, got up and exhibited in the cattle market; something like those petitions got up against a measure to Parliament, which every boy will sign if asked to do so, and which the dairymen were too willing to sign. I had an interview with Mr. Chisholm, a dairyman, of No. 46, North Richmond-street, who says he signed the document solely because he had not personally given you any information. At the same time he candidly admitted that he had lost many cows by the lung disease, and two within the last six weeks, for which he had paid 43 *l.*, selling them only for the price of the skins. He generally keeps from 15 to 20 cows. Again, I saw a Mr. Dickson of the Potterow, who has a large dairy, and has lost cattle also at various times. He signed the document because he had not personally given you information. Your statistics were not shown to him. This gentleman says that he puts away his cows as soon as he notices the disease. Mrs. Learmouth, in absence of her husband, informs me that they have lost six within the last two months, three of which died and three put away. Mr. Laidlaw of 115, Cowgate, signed the document at the request of Mr. M'Intosh, but did not read it, and had no statistics given him. I regret I had it not in my power to see any other dairymen; but I have no hesitation in saying, that the impression made on my mind is, that the disease still prevails, less or more in all the byres of Edinburgh, and while that is my impression and conviction, I can also say, that during the last 12 months I have frequently conversed with dairymen, who all admitted the prevalence of the disease and the great pecuniary loss they were sustaining." This is one of the best men in Edinburgh.

3015. You observe that gentleman does not say that any of these men told him that they had given you information?—That does not invalidate my statement. I never told anybody that they all gave me information, but they never read the document nor saw the table of statistics. They condemned it unseen; that is the hardship. It bears upon an assertion that I never made, viz., that I received individually from each dairyman, a statement of the cows he kept, the cows he lost, the cows he sold to the butcher, and the cows that went to the pigs. I never stated that.

3016. I understand you to have stated this to-day, that there were persons who signed this document who had given you information?—Clearly. There is no doubt about that.

3017. I ask you to point them out. You have pointed out one, I should be very glad if you would point me out any others?—I gave evidence the other day with regard to Robert Morton. You will find him signing here. There is one of the Nivens; John Niven.

3018. We will take John Niven. I am very anxious that you should be able to corroborate your statement in any way you can. Can you tell the Committee what the nature of the information was that John Niven gave you?—I can merely repeat, in general terms, what I have stated before. I shall be most happy to furnish the document. If the Privy Council has destroyed the document I sent to them, I will certainly see to it, and hand in another table of the same description.

3019. Who visited John Niven?—I visited him myself repeatedly, and a number of these persons.

3020. If you visited Mr. Niven, can you tell the Committee generally what the information was that Mr. Niven gave you as to the state of disease in his dairy?—Simply the statement that I obtained from all, that upwards of 50 per cent., or thereabouts, had been lost by disease. He gave me the exact number at the time. I cannot tell you, for example, whether Mr. Niven gave me the number sold to the pigs, because it so happens that the pig-feeders' declaration was obtained, to a very great extent, from the people about the pig-feeding establishment, and we know from the books where the animals were coming from. Lately, for example, I received information with regard to a number of dairymen, as to how many cows they had sent, in a week, to the pig-feeder.

3021. Are the Committee to understand that Mr. Niven did supply you with the number of the cows he kept and the number he lost?—Yes; that would be the amount of information I got from him.

3022. You state to the Committee that he did give you that information?—Decidedly.

3023. Then how is it possible that he came to sign this memorandum to say that he never gave you any information?—That is another thing; because they never read the document; I think I have produced full evidence on that point. I may mention to you that the more complete, and the more thorough the inquiry, the more delighted I shall be, for my position is so clearly unassailable in the matter, that if any person wishes a full inquiry in Edinburgh, or wherever they

they like, I am sure I am the only person to court it.

3024. I think you stated to the Committee that there were only two of the cow-dealers gave you any information?—Yes.

3025. What is the precise nature of the information those two gentlemen gave you?—Simply, that I had the table, and that I knew who they supplied with cows; and I asked, for example, John Martin in my own study, "Do you know that man?" "Yes." "Do you see he keeps so many?" "Yes." "Has he lost so many during the past year?" "Oh, a great many more." That was his constant reply.

3026. These two gentlemen who represented, in your opinion, the cow-dealing trade of Edinburgh did not furnish you with any return of the number of beasts over which their inquiries extended?—No, they did not.

3027. *Chairman.*] Did you ever state that they did give you such a list?—No; of course I did not. The only information they could possibly have, was from the number of cows supplied to each individual, and, of course, they well know when a man keeps 20, and they have been selling him 40, that he has had something cutting them down.

3028. Do you consider that returns, and information derived in that way, can properly be called "statistics?" — As a confirmation of a general statement, decidedly; I was, I think, perfectly justified in getting information from all sources as to the reliability of the information I had; I might have been cheated.

3029. Your opinion is this, that two gentlemen connected with the trade coming into your study, and giving a general statement of their opinions as to the existence of disease generally in cattle, you consider that information of that kind can be dignified with the name of "statistics"?—No, I do not; certainly not, because you have no detailed numbers or facts, and there may be any amount of fallacy in such information; it is simply with regard to definite points. They had special information, which I could collect from them; that information I had not, and I went to the proper persons to get it.

3030. You wish to convey to the Committee that this information was merely, in your opinion, confirmatory of the information you got from the dairymen?—That is what I have always stated.

3031. Do you think that the information which you got from the dairymen, collected in the way it was collected, can be considered as anything approaching to a statistical return?—All I can say is, that it is the very best statistical return ever had of the dairies of any city.

3032. That is not the question; do you think it is or is not a statistical return?—Yes; I think it pefectly comes under that head, because we know that the majority of these statistics must necessarily be imperfect, and I have always stated that that was imperfect; I knew from the very first, that I had not the total loss. I furnished evidence of that the other day, through Mr. George Maxwell's letter.

3033. Why do you say, that statistical returns must necessarily be imperfect?—I will refer to the Registrar-General's returns themselves where you have a special classification of disease, a theoretical classification, and those returns are well known by medical men generally, to be for certain definite purposes not reliable, and no one will say that they are not statistical returns.

3034. Do you, then, mean to state, as your opinion, that the statistical returns of disease published by the Registrar General are perfectly unreliable?—On a large number of points perfectly unreliable, and nobody knows it better than Dr. Farr and Dr. Stark, of Edinburgh.

3035. *Chairman.*] You were employed by Government to collect information respecting disease in cattle?—Yes, I was.

3036. Had you any power to examine people on oath, so far as they could give you information?—Of course not, I had no power whatever.

3037. Therefore, all you could do was to collect information in the best way you could?—Clearly. Provided I gave them a true statement of what I heard, that is all I was bound to do. I may mention here, that I have another letter from Major Mair, who has made inquiries of two dairymen whom he personally knew. I can bring down any amount of evidence you wish. Major Mair says: "Dear Sir,—I have noticed Mr. Hall Maxwell's statements as made by him before the Select Committee of the House of Commons. How he could refer to the slaughter-house statistics in the sense he did, after all the recent revelations, is to me astonishing. The Committee should know, that at the last meeting of the Town Council, we repudiated the statistics alluded to by Mr. Maxwell, and somehow or other furnished to Mr. Black, M.P., and the City Clerk was ordered to write to Mr. Black to put him on his guard. We know that no correct statements of diseased cows slaughtered, have as yet been secured through to city officials, and we can only refer to a comparatively small number of the diseased cattle slaughtered. As to your table of statistics, relating to the Edinburgh dairies, I can state that so far as my inquiries have extended, you considerably underrate the losses. At all events, this is the case if I am to rely on dairymen, whom I have usually found very communicative on the subject of their disasters. Councillor David Lewis, a member of the Market Committee, has made a study of this matter since he joined the Council, he is a most intelligent man, and could furnish more information on this subject than any man I know."

3038. Mr. *Caird.*] I see that on the 14th June, when you were examined, you referred to a meeting which you had had on the 3d September 1863. Did you refer to that meeting as confirmatory of the statistics which you had already published in your Report to the Privy Council?—No, I furnished those statistics as confirmatory of the general statements I have made in relation to diseased cows in the city of Edinburgh. At that time I brought forward the statistics of three or four years. All those statistics that I furnished were confirmatory of my statistical table. Upon that point where I mentioned, for example, that one year 651 animals had been slaughtered out of the Edinburgh dairies, they said, "double that." That was in 1860.

3039. I do not want to go into details; I ask you the question whether you refer to that meeting as being confirmatory of the report which you had previously presented to the Privy Council?—I wish to explain that special point.

3040. In answer to the question I see you say, "I submitted the statistics to many competent persons to ascertain their truth; and last year, on the

Professor *J. Gamgee.*

17 June 1864.

the 3d September 1863, a meeting was held in the new veterinary college"?—Yes.

3041. Was that meeting held for the purpose of in any way testing the validity and truth of that report?—No.

3042. Had it any reference to the statistics which you had furnished to the Privy Council?—Some general results were probably brought out, but I remember distinctly that I specially brought out three years of the statistics of Edinburgh without special reference to this table, though confirming this table, and those were the statistics I brought before them; I did not give them the details I have here.

3043. That was not exactly a public meeting, I believe?—It was so far public that everybody came in who liked.

3044. Still there was some understanding between yourself, and the dairymen that the proceedings should not be made public? — The dairymen themselves wished it, I understand.

3045. Will you look at that letter (*handing a letter to Mr. Gamgee*), I think you referred to Mr. Prentice as one of the persons who had been in your study, and had given you information; will you read that letter to the Committee?—I will; "Sir—I received yours of to-day's date regarding Mr. Gamgee's statistics; I neither was asked by Mr. Gamgee to furnish him with a return of my dairy, nor did he ever obtain any statement from me regarding it. I have asked severaldairy men in the city whether they gave Mr. Gamgee any return of their dairies in 1862, and they all asserted that they had not, nor even had been asked to do so; where he has procured his information I cannot ascertain; he may know himself, but I would be doubtful of it; I can say nothing about the number of dairies in Edinburgh in 1862, nor of the number of cows in each, nor can I give the number of diseased cows sold that year; I can only say that, judging from my own dairy, and the dairies which I was in the daily habit of visiting, the number of cows he states as having been sold diseased that year, far exceeds the proportion I have ever seen or experienced, regarding pleuro, there is no doubt that it is on the decrease and that largely; this I can see from my experience in going through the dairies of the city daily." I know Mr. Prentice's handwriting; this is not his handwriting; it is signed by him; that is to Mr. Maxwell.

3046. Now, will you take this letter and read the signature (*handing a letter to Mr. Gamgee*)?—"John Martin."

3047. He is the other party to whom you referred?—Yes.

3048. Will you be kind enough to read that letter to the Committee?—I will; He says: "Dear Sir,—Hearing you are going to London to-night, to give evidence before the Select Committee, I beg to send you a copy of a letter I have addressed to all the newspapers contradicting Gamgee's evidence, so far as I am concerned. I am extremely annoyed that he should have unwarrantably used my name, never having had any conversation with him. I would feel much obliged if by any means you could state to the Committee that he never had any information from me on the subject.—To Messrs. John Swan and Son."

3049. This is a letter addressed to the public newspapers?—Yes. "Sir,—I was not a little surprised on reading Mr. Gamgee's evidence, on Friday, before the Select Committee, in reference to the above Bills, to see that he quotes me as one of his authorities, in reference to the extent of lung disease, and the opinion of the cow-dealers, in regard to it. I beg to state that I have not spoken to Mr. Gamgee for 18 months;" that is just the period he did speak to me; "that he never received any information from me on the subject, and that his evidence, so far as I am concerned, is altogether untrue." I believe Mr. Martin is perfectly correct. I believe the last time he was in my house, was in November 1862 when he did speak to me. I may mention that I am placed here in a very peculiar position. It is perfectly impossible for me to obtain legal evidence, if I may use the expression, before such a Committee as this, at the present moment. I have done all in my power. I have sent down to one of the most respectable solicitors in the town, and here is Mr. John Prentice having written to Mr. Maxwell one thing and having stated to my solicitor another thing.

3050. *Chairman.*] You said, I believe, that the letter which you have just read, was not in John Prentice's hand-writing?—It is not; it is signed by him, and evidently is not one of his letters. I know Mr. Prentice's method of writing perfectly well, and I unhesitatingly say he did not write it.

3051. Mr. *Caird.*] You referred to Mr. and Mrs. Simpson. Will you read that letter (*handing a letter to Mr. Gamgee*)?—Yes. "Mr. Swan,—Sir,—We hereby certify that we have never at any time given any information as to the number of cows kept by us; the number of cows which we have lost by disease; or the number which we have sold either to the butcher or any other individual, although Mr. Gamgee has called here but got no information from us."

3052. Who is that signed by?—It is signed by A. Simpson and M. Simpson.

3053. That is the husband and wife, I presume?—I suppose so.

3054. That seems to be in their own handwriting?—Yes; I have Mr. Robertson's evidence against them on that point.

3055. Here is another letter from Mr. Simpson; will you read it (*handing the letter to Mr. Gamgee*)—Yes; "Sir,—I am sorry to observe in to-day's papers the examination of Mr. Gamgee, in which he states that my signature to the paper with which you were entrusted by Mr. Maxwell was obtained under false pretences. In vindication of your character, I may state that the circumstances were as follows: When you called with the paper at my house, you asked me, in my wife's presence, if any information had been given to Mr. Gamgee as to the losses we sustained from July 1861 to July 1862, to which my wife replied in the negative; she carrying on the dairy business along with the family, my employment being solely in the Post Office; after which statement, I had no hesitation in appending my signature to the paper. I am, Sir, yours respectfully, *A. Simpson.* P.S. I may also add, the paper was read over by me, and explained by you, before I put my signature to it, *A. S.*" You see it is merely a question of accident.

3056. Here is another letter?—I will be most happy to read it if you wish.

3057. It is most disagreeable to the Committee and to me personally, but you have made certain statements,

statements, and it is absolutely necessary that they should be tested?—I have already stated that the more complete the test the better; I do not look upon this as a complete test. If these men were on oath, and if the persons who collected the evidence were on oath, you would have a complete test. I am most anxious that that investigation should be made if my reputation is to abide by such evidence as this, but I think I have supplied equally good evidence, if not a good deal better. This is the document you have handed to me: "We, the undersigned, having learned with surprise that at the re-examination on Tuesday last of Mr. John Gamgee, veterinary surgeon, Edinburgh, he thought proper, in the most unwarrantable and injudicious manner, to bring forward our names repudiating the statement we made to Mr. Mackintosh under the impression we were not aware of what we had signed, we may add, the paper was either read or explained to us under these circumstances. We denounce the statements made by Mr. Gamgee, as far as our names are concerned, to be false; and to the statement we made to Mr. Mackintosh, we still adhere." I may mention here that Mr. Haddow's name does not seem to exist in the list. He is the person who gave me the largest amount of information of any of them.

3058. Will you take this letter from Mr. Haddow (*handing the same to Mr. Gamgee*). I think you stated in your evidence that Mr. Haddow had assisted you in drawing up the statistics?—I produced his letter.

3059. And that, in fact, it was in some degree drawn up by him?—I have his letter.

3060. Will you read the letter I have handed to you?—"Sir,—Having seen a report in the newspapers of Mr. Gamgee's evidence, stating that his Edinburgh dairy tables were, in fact, drawn up by me, I beg to state, that as a dairyman in Edinburgh, I was most anxious that the Bills before Parliament should be passed. I furnished Professor Gamgee with a statement of my own losses, and what information I possessed. I saw the tables after that they were drawn up, and was fully satisfied that they were in no way exaggerated; but, beyond that, I am in no way responsible for the accuracy of his report." I have produced Mr. Haddow's letter. That is all I can say.

3061. This letter confirms it, except the fact that he did not assist in drawing the tables?—He simply handed it to me in his own handwriting.

3062. What tables?—The table of the statistics of the Edinburgh dairies were supplied to me in Mr. Haddow's own handwriting; that is to say, we drew it up together in our study. Probably some names were written in my own handwriting; but it was, in effect, drawn up by the most reliable men I could possibly get amongst the dairymen, with my own assistants.

3063. Then, when Mr. Haddow says in his letter, "I saw the tables after they were drawn up," he does not fully state the fact?—No, he does not fully state the fact.

3064. And if he says, "beyond that, I am in no way responsible for the accuracy of his report"?—That he may state; I do not care about that.

3065. You do not hold him to be in any way responsible for the facts stated?—No, I hold my own self to be responsible; I made every possible inquiry to see that they were proper statistics. I take the whole burden on my own shoulders.

3066. Mr. *Leslie.*] The question I am going to put will enable you to corroborate or correct part of the evidence you gave on the 10th May. It has reference to the dairy at Glasgow, belonging to Mr. Harvey; you supported some of your statements on that occasion by your experience in connection with Mr. Harvey's dairy, stating that that dairy was under your charge at the present time, and had been for some time; will you now state the nature of your engagement with Mr. Harvey; how long you have had his dairy under your charge, and whether for your attendance you received the usual professional remuneration?—I have been attending a certain quantity of Mr. Harvey's stock for the last three months. The engagement arose in a very peculiar manner: I am very intimate with his nephew, and, through his nephew, I drew Mr. Harvey's attention to the subject of inoculation of cattle. Mr. Harvey there and then enabled me to institute experiments on this understanding, that he would in the meantime pay all expenses that would be incurred, and a certain remuneration in the event of what I stated proving to be true. In addition to that, Mr. Harvey consulted me with regard to every other disease that has occurred, I believe, in his place since that time, in relation especially to milk fever, in relation to the effects of the dreg, the material that is given to these animals regularly, and which was producing violent disorders of the stomach. I received a letter only last Wednesday from Mr. Harvey, requesting me to go down. I went down last Thursday, and saw all over his stock. I have now about 150 animals that are under my care, more or less, in addition to a number that I have seen diseased since.

3067. The question put to you on the 10th of May by the Chairman was: "Was that dairy," referring to Mr. Harvey's dairy, "under your charge?" and your answer is, "It is under my charge at the present time, and has been for some time"?—In that sense, in relation to the prevention of these diseases, and so it is, so far as the dealing with these special diseases is concerned. Of course, in a professional sense, we know perfectly well that a family is under the charge of a physician, when some of its members are under treatment, and that physician has the means of complete information on the points I refer to.

3068. Will you take that letter of Mr. Harvey's in your hand, and read it (*handing a letter to the Witness*)?—Yes. "100 Acre Hill, 1st June 1864. Hall Maxwell, Esq. Dear Sir, I again repeat that Mr. Gamgee is not professionally in charge of my byres, nor regularly employed by me, as my veterinary adviser, and that my dairy is neither under his charge at the present time nor ever has been. The arrangement to inoculate a lot of new cows which I had just got from Ayrshire, was entered into altogether at his own request;" quite true; "and was entirely confined to the experiment which he was so anxious to be allowed to try. He has been only three times here himself altogether, and his assistant twice. The second time he came he spoke of entering into some permanent arrangement with me to attend regularly to my stock; and he also proposed that I should allow him to inoculate my two or three hundred stirks that had been already,

Professor *J. Gamgee.*

17 June 1864.

for four or five months, subjected to the infection. I distinctly declined to enter into such an arrangement, and, at the same time, told him that my whole stock were in such a position that they did not require any attention, with regard to pleuro, at least, as all my present stock of milk cows had already come through the disease, and would never take it again; and that the two or three hundred stirks were also nearly through it, and, consequently, that although he inoculated them, and they remained free of the disease, I would give the inoculation none of the credit for it, as I knew that they were, with a few exceptions, already proof against the disease for life. In such circumstances, I requested that he would confine his attentions entirely to the experiment of inoculation upon the new cows, as the rest of my stock were likely now not to need much veterinary attendance." I may mention to you that, in general terms, this letter is perfectly correct as to the manner in which we entered into the arrangement at first. In my statement with regard to having the stock under my charge, it is strictly in relation, not only to this inoculation, but also in relation to other diseases, at least three diseases, concerning which Mr. Harvey has consulted me himself, personally, during the last two months; and I have no doubt, if Mr. Harvey were here, and cross-examined, he would perfectly admit, not only that I had given my advice, but the value of that advice, for he confessed to me of its having saved his stock from milk fever, and, on my advice, I believe he suspended the use of the dreg he was giving them; and, in addition to that, I remember one day I was there, and saw an animal with an enormously swollen throat, and I said I should send my assistant the next day to operate upon it. My assistant went, and that he happened to have sold the beast. Whatever import you put on the words, in their strict sense, I have, for the last three months, been attending and sending my assistants to Glasgow, and, in addition to that, have had occasion to give advice on several diseases.

3069. Sir *William Miles.*] Instead of saying that you had the dairy under your charge, would it not have been better if you had said you had been professionally consulted by so-and-so?—That is what I meant.

3070. I put it now in the proper way?—Quite so; I may mention that in relation to any stock; that is the only way in which a veterinary surgeon can be in charge.

3071. Lord *Naas.*] I have one question to ask with regard to this table. The statement in the note appended to the Report is: "It will be seen that of the total number of cows kept in Edinburgh 58½ per cent. were sold diseased, of which 43 per cent. were sold to butchers for human food, and 15½ per cent. as food for pigs." Have any circumstances come to your knowledge since you made that report to the Privy Council which would induce you to believe that the statement is exaggerated or overrated?—I am quite certain that the statement is below the mark.

3072. Do you still adhere to the opinion expressed in page 214 of the Report of the Medical Officer of the Privy Council?—Yes, and there are more than that at present being lost. Of that I gave some evidence the other day.

3073. *Chairman.*] Have you any further observation to make to the Committee?—I have, and it refers to the manner in which this extremely troublesome and irregular inquiry commenced. Of course, it is troublesome to have any such charges brought you, but I think I have given an ample refutation to all that has been said. If there be any further need to protect my reputation, of course, I shall have to take proper steps to do that; but I wish to show you the hopeworthy manner in which I first deal with Mr. Maxwell. He wrote to me on the 3d of May as follows: "Dear Sir,—On looking over your report in the Blue Book of 1862, I cannot help thinking that there must be some mistake about your table on page 214, containing details of 88 dairies. When I had to collect statistics, I was constantly applied to for information regarding my *modus operandi*, and I always answered such inquiries; perhaps you will be so good as to explain the machinery you adopted for obtaining your returns, and the data generally on which this portion of your report was based." Now knowing as I did the private nature of the inquiry, and having been so repeatedly cautioned even by Mr. Simon that whatever I was doing in the matter should be kept to myself, for that was a subject on which I was repeatedly cautioned at first, I consulted with Mr. Bruce.

3074. Lord *Naas.*] Our late Chairman?—Yes, having however, written a reply to Mr. Maxwell. This is my letter: "Dear Sir,—Yours of the 3d instant has been forwarded to me here. The inquiry I had the honour of instituting was essentially a personal investigation in which I availed myself of all the reliable information I could obtain. I was indebted for many important facts to dairymen in the city of Edinburgh, who not only permited me to examine their books, but who aided me in collecting data from their friends. Before publishing the table, I consulted some of the most expensive cow-dealers who supplied not a few of the persons whose statistics I had obtained, and in no single instance did I find that the losses had been overrated, but in several, as you might imagine, I found that I had only a part of the truth, and more losses had been sustained. I did not, however, change the figures as I preferred to understate, rather than overstate the losses. I have had many opportunities since of ascertaining the extent of the losses in the dairies of large cities, and have repeatedly met large bodies of dairymen who have admitted that my statistics could be depended upon." I may mention to you that I was perfectly entitled to ask Mr. Maxwell for what purpose he wished the information, and I was perfectly entitled not to give that information, but having written that letter, Mr. Bruce thought that it might as well go. There and then I received information of the nature of the attack that was about a week afterwards to be made upon me. On the 10th May, he wrote: "Dear Sir,—I think it fair to you to say that the Edinburgh dairymen deny having given you any information, and that I have evidence to that effect. I am, faithfully yours, *J. Hall Maxwell.*" I replied to him in this way: "Dear Sir,—Your line of action is, to say the least, extraordinary, and it is as well that I should state to you, that I have evidence to the contrary, of that with which it seems your intention to impugn my veracity. Had you had statistics to prove that the rates of mortality published by me indicated a loss greater than that which has occurred during the last 20 years, I should have been thankful for the correction.

My

Professor J. Gamgee. 17 June 1864.

My object has been, and is to know, and lessen the truth, and however much some Edinburgh dairymen may wish to damage my position, and disown these figures, I have the greatest confidence in the unassailable nature of the testimony I have at my command. As a member of the Highland and Agricultural Society, I regret to see how instead of dealing with the question of cattle disease, as every other enlightened association that has turned its attention to the subject, there has been a disposition to bolster up a case which has been attended with most disastrous consequences to the country." Then I received this last letter from Mr. Maxwell: "Dear Sir, I have yours of yesterday, my 'line of action,' is at all events an open one." That I deny, for I never knew anything about the cowkeepers statement, or about Mr. Harvey's declaration, till I came here the other day. "I do not conceal from you a point on which I shall assail you. I may add that I am in possession of statistical evidence, to show that the rate of mortality from disease, assumed in your report, is inaccurate and exaggerated. You are quite entitled to express any opinion as a member of this society, but I am not called upon to discuss or controvert it. I may merely say, that if the Bill could be altered as the society desires, it would tend to stop the trade you talk of far more effectually than as originally introduced." I may mention, that with regard to Mr. Harvey's statement, Mr. Bruce, and probably yourself, may well be aware that I was most anxious that Mr. Harvey himself, should be at first examined upon the whole subject, for I knew the information he could give, and my desire, is purely and entirely to expose the truth in all these matters.

3075. *Chairman.*] You have expressed your wish if the Committee think it necessary to bear further evidence, to have Mr. Hoddow and other persons examined in support of your statement?—Of course I should be most happy, and I should be delighted to have the opportunity, nothing would please me more.

Mr. JOHN STOTT, called in; and Examined.

Mr. *J. Stott.*

3076. *Chairman.*] Do you reside at Newcastle-on-Tyne?—Yes.

3077. You have had a copy of the Cattle Disesae Prevention Bill, sent to you by one of the members for the county of Northumberland?—Yes.

3078. You have been deputed by the Chamber of Agriculture, to give their opinion respecting various points in the Bill, I understand?—Yes.

3079. You are aware that the Committee, have decided that foot and mouth disease, shall not be included in the Bill?—Yes, I was informed so.

3080. Then taking the other diseases to which the greatest attention has been paid, pleuro-pneumonia; are you of opinion that it is right to put a penalty on persons who send cattle affected with pleuro-pneumonia to market, and thereby risk the infection being conveyed to other cattle?—I would say distinctly that bad stock shown with a guilty knowledge in fairs ought to be subject to a penalty; but perhaps not so in a fat cattle market, inasmuch as I think there is not so much risk of getting the disease; the stock shown there is generally for slaughter; I cannot conceive that there is very much risk in spreading the disease by their being allowed to come into the market; that is to say, if they are fit for human food.

3081. You would put a penalty upon beasts sent to a store market, but not to a fat market?—Yes.

3082. At Newcastle, is the fat market held in the same place as the store market?—No; I think that all fat and lean markets ought to be separated on that account.

3083. Sending a beast with an infectious disease to a fat market can do no harm, because all the beasts are sold to be killed?—Decidedly, in Newcastle market; it is not so, in every market I attend.

3084. So long as a beast is fit for food, there is no reason why it should not be sold?—I think it ought to be sold; unless it can be clearly shown by analysis or otherwise, that some chemical change has taken place in the carcass to affect it for human food, I should say it was entitled to be sold.

3085. You would leave that to the meat inspection?—Yes.

3086. At Newcastle, is there any inspection of meat?—Yes; we have a person at present who was the market-keeper until the last year or two before that, it was principally done by policemen, I think, and the inspection was anything but complete; now, I daresay it is tolerably complete.

3087. That is with respect to the carcasses?—With respect to the carcasses.

3088. Do you think it would be a good thing to have inspection of the fat cattle market in order that a beast which appears to be unfit for human food should be watched?—I daresay it is necessary; but during the last three or four years there has been scarcely a single beast, to my knowledge, exhibited in Newcastle market that was really bad; since the appointment of the present inspector there have been very few cases, indeed, some have been met with penalties, and fined, but as a rule, I think that there has not, within my knowledge, been 20 diseased cattle; that is to say, cattle labouring under lung disease, during the last five or six years.

3089. Is there a large sheep market as well as a cattle market?—Yes.

3090. Do you think that there should be a penalty on any one sending scabby sheep to a fair or market?—I think that persons are to blame for sending scabby sheep into a store market, but not into a fat market.

3091. For the same reason that you have given before?—Yes.

3092. Have you seen the clause in the Bill respecting the cleansing of trucks and steamboats?—Yes.

3093. Do you think that those clauses are good?—I think it is very necessary that something should be done with regard to the cleansing of waggons, from the fact that I believe it is one of the principal causes of spreading the foot and mouth disease, although farmers in our district do not lay much stress on it. But it is injurious to a certain extent. As an instance in favour of cleansing the trucks, I should say that having bought a large quantity of cattle at a fair, and driven them together, and put them into trucks to different parties in the country, some of those

Mr. *J. Stoit.*

17 June 1865.

cattle have taken foot and mouth disease, and some of them have come clear; thereby confirming my opinion that they have got it in the trucks, and in no other way.

3094. Therefore, you think that it must be a good thing, if the trucks were properly cleansed?—It must necessarily be a good thing.

3095. Are there any other points in the Bill to which you would wish to call attention?—I think that all inspectors ought to have a veterinary diploma; that is, men of character and standing. Some inspectors, perhaps, have little to sacrifice in the way of either character or position. I think that all inspectors ought to be men of character and position too.

3096. Mr. *Thompson.*] You have had a good deal of experience in cattle-dealing, I think; in buying and carrying cattle from one part of the country to another?—Yes, I have; a good deal.

3097. Your opinion is that no penalty ought to be imposed on people taking diseased cattle into a fat market?—I have said as much; that is, unless they were really in an unfit state for human food, and where the cattle presented were not entirely for slaughtering.

3098. Who is to prevent them being taken, if they are unfit for human food, if there is no inspection?—There is no inspection in Newcastle market, to any extent, but believe information would be given to meat inspector should any diseased cattle be exhibited.

3099. Do I understand you to mean that no additional penalty is required; that no additional legislation is required; and that the inspection at present is sufficient?—I think that it is highly necessary to put a stop to the exhibition of stock labouring under lung disease in a lean market, and also that a certain supervision is necessary on the part of inspectors, and, in particular, with regard to Irish cattle. In the case of many of the people in our district who have suffered losses, it has been almost entirely confined to Irish lean cattle. With regard to shorthorn cattle—our own native breed—it is very rare indeed to see one with it in the whole of my district.

3100. You say that there should be no penalty on bringing scabby sheep into a fat market; have you not often seen scabby sheep in a state that you thought quite unfit for human food?—I have seen some very bad; but I never saw them so bad but that there would be people to buy them.

3101. You do not think it desirable to check the offering of sheep in that state to the public?—I would not think it was necessary to visit it with a penalty in a fat market, unless they were in such a state as to be unfit for human food. I should say then, decidedly, a penalty ought to be attached.

3102. Have you not seen them in a state in which they were unfit for human food?—I cannot say that I am a judge.

3103. Well, in a high state of fever, and inflammation?—Yes; very ill.

3104. Now, with reference to the conveyance of infection by travelling, have you great experience in driving by the road?—Yes; not so much now as we used to have before the railways, but we still have a little.

3105. Is it not your opinion, that infection is still very largely taken by driving on the roads?—Yes; there is no doubt about that.

3106. And, that the fact of the Irish cattle being so much diseased, is probably due to their having so much further to travel?—They travel a great deal; I do not speak from any knowledge of my own, but cattle, when they come out of the steamboats and vessels from Ireland, I believe, are frequently washed and swam in the water to clean them; and I believe that is one of the principal causes of lung disease.

3107. Have you any suggestion to offer for the checking of infection among cattle travelled by the road, as to the inspection of them on entering the fairs?—It would require a very large staff of inspectors to have a proper check over it.

3108. You say that your impression is, that infection has been contracted in the railway trucks, have you ever had an opportunity of tracing, or following up the cattle for a sufficient time to satisfy yourself on that point?—Quite; I am perfectly satisfied that we can trace it to that frequently.

3109. How long did you consider it necessary to have your eye on those cattle before the breaking out of the disease, to satisfy you that they got it on the journey, and had not it before?—As a rule, if they came in contact with the foot and mouth disease, they will show it in the course of two or three days, and at other times I have known them much later; I have known them to be at a place fully a month; no cattle going to or coming from the farm, and then it has broken out.

3110. Are you satisfied that in any cases you have known the disease break out two or three days after the disease was communicated?—Yes, it very soon shows itself by mixing sound with unsound cattle.

3111. Medical men say that a much longer time is necessary?—So far as my experience goes, I should say from three to ten days, as a rule.

3112. The foot and mouth disease?—Yes.

3113. How long for pleuro-pneumonia?—I cannot offer an opinion, because I do not know that anybody can tell when they are first affected by it.

3114. You are of opinion that pleuro-pneumonia can be communicated by infection?—I am of that opinion; but I have had no experience.

3115. You have no proof?—No.

3116. Sir *William Miles.*] I understand you to say that you would have a fine in store-markets if cattle were brought in affected with pleuro-pneumonia, but you would not in fat markets; am I right?—Yes, provided all were sold for slaughtering.

3117. Does it not very often happen that animals are brought into fat markets in very different degrees of state for the butcher?—Yes.

3118. Does it frequently happen towards the spring, if a farmer has got a good stock of roots, and more than he can consume, that he buys what they call half-fat cattle to finish up?—Yes, we have many instances of the kind.

3119. If so, would it not be just as prejudicial not to have a fine on the fat cattle market as it would on the other?—As a rule, it very seldom occurs with us that people buy them out of the fat market for store purposes.

3120. Surely, under the state of things which I place before you, it very often occurs, does it not?—Not very often in Newcastle market, but in other markets.

3121. Does it at Darlington?—It does at Darlington.

3122. If we have a law, it must not be for Newcastle alone, but for the whole country?—Decidedly.

3123. If the state of things which I have mentioned to you does occur occasionally, occurs possibly in Newcastle; but occurs in Darlington and 10,000 other fat markets in England, would it not be dangerous not to apply the same law to the fat cattle markets that you would to the store markets?—To apply the same law to fat as well as store markets would certainly be some protection. Mr. *J. Stott.* 17 June 1864.

3124. Colonel *Barttelot.*] Do you think pleuro-pneumonia is on the increase or decrease in this country?—In my experience it is considerably on the decrease.

Mr. JOHN SWAN, called in; and Examined.

3125. *Chairman.*] YOU are a large cattle dealer, I believe?—A live stock agent. Mr. *J. Swann.*

3126. Where do you reside?—In Edinburgh and Glasgow. I have an office in Glasgow, and my domicile is in Edinburgh.

3127. Mr. *Miller.*] Do you carry on business to a large extent?—Yes.

3128. Perhaps you are the largest dealer in Scotland?—I think last year my firm passed through their hands somewhere between 18,000 to 20,000 cattle; and somewhere between 80,000 and 90,000 sheep. These were all sold on commission, or bought on commission.

3129. You have, of course, ample opportunity of observing the state of health of the stock?—Yes.

3130. Will you give us your opinion as to the extent of lung disease, and as to how it should be met?—Within the last two years lung disease has very much decreased. This year it is nearly out of the country; we have not been so free from disease, as this year and last year, for 20 years, when the lung disease came in. Foot and mouth disease, I understand, is excluded from the Bill.

3131. Do you think, for the last two years, it has been very much on the decrease?—Yes; in fact, we scarcely ever see a beast affected with pleuro-pneumonia come into our market. Some years ago we had them come in, in waggons, every week. Now, I do not think you will see one in 500, either in the Edinburgh or Glasgow markets, sent in to our markets.

3132. Is it your opinion that that is also the case with regard to dairy cows?—I would say, with regard to dairy cows, that they are much more subject to take pleuro-pneumonia. The cows that go into the large dairies in Edinburgh and Glasgow are taken in from 5 or 12 years old, when they have come from the country and are put into the dairies. The system of keeping them is very different. They do not give so much milk; they are confined in close houses, and never turned out; and that, I believe, is one of the great reasons of pleuro-pneumonia being so destructive amongst dairy cows.

3133. Will you tell the Committee what you think of the complaint called scab in sheep, with regard to the extent of it at present, compared to the prevalence of it some years ago?—Scab in sheep is a disease which is very easily cured; easier than any other disease amongst live stock, I think. I have studied it for a long time. I commonly keep a staff of men to send across the country to parties who employ me. I send men to dress sheep, and they very seldom require to go more than once. It is very easily cured. By putting scab into the schedule of diseases, I am afraid it would be very awkward. For instance, we send to the north of Scotland every August and September, to meet large droves from Inverness and Sutherlandshire. They have to be driven along the road for 20 or 30 days, and there is scarcely a lot but what is affected with heat in the skin, bearing on to scab. I am afraid, if scab is put in the schedule of diseases, it will be a very serious thing. Where a farmer is careless about his stock; he loses value in his own stock, and renders his neighbour's stock liable to be affected, I think that certainly is entitled to be put into the schedule of disease. I think, with regard to Scotland that the sheriff in each county of Scotland, should have the privilege of ordering stock that actually has scab to be cleaned, because no man has his stock affected by it, but it soon gets abroad, and he would do all in his power to get them clean.

3134. It would require a very extensive machinery to have an inspection of sheep at farms?—We could not do it. I further think that our new Police Bill is quite sufficient for all the inspection we require in Scotland, with regard to disease of any description. There is not a village, or district, or small town, but where we have two, three, or four veterinary surgeons, all educated men, who have served their time and come out as veterinarians. These parties, along with the owners of the stock, are certainly quite sufficient, take far more care, and can judge better than an inspector sent by Government.

3135. You have said that scab in a mitigated shape should not be included in the list of diseases in the schedule of the Bill?—Yes.

3136. You must, at the same time, explain to us how it would be distinguished between a mitigated state of scab and a virulent state?—If a farmer allows his sheep to go year after year without getting them clean, after he gets them home, the sheriff is entitled to give orders to clean them at his expense; every day they go in scab they lose value.

3137. It is very infectious; is it not?—Very infectious.

3138. Do you know that?—Yes.

3139. With regard to proper measures for securing cattle and sheep against infection in transit?—Of course it is a very good clause, that is in the Bill, with regard to the cleansing of the waggons and also of steamboats; I was in the House of Lords about a steamboat Bill; we thought that we had not sufficient accommodation between Ireland and Scotland for Irish cattle to come to this country. I believe that is one of the reasons of the treatment the cattle get.

3140. In the course of your business, have you frequently consigned foreign stock, the same as in this country?—For the last 15 months we have had a great deal. From May to May we had 13,000 sheep, and 1,700 cattle come to Leith; this year, since last May, we have had a deal more.

Mr. *J. Swann.*

17 June 1864.

3141. As a general rule, is it your opinion that foreign cattle are more affected with disease than home cattle?—I have never known a foreign beast when imported affected with pleuro-pneumonia; we are very particular about those foreign cattle, when they came first to Leith they allowed us to get them off by our own declaration, and from the connection we have with the stockowners and the confidence which we have with them; we wrote to Mr. Milner Gibson, asking him to give the same inspection to Leith as they give at London, Hull, and Liverpool; hence, the order came down appointing Professor Dick.

3142. Then, they are more particular in inspecting them now?—They threw some of them into the sea one day; I do not know whether it was from disease; there were six bullocks; I think that they were valued at 21*l.* or 20*l.* They were affected with the murrain, or foot-and-mouth disease, and myself and sons were in Glasgow; Professor Dick said they should not come from the boat for a day or two. The Customs House officers had misunderstood him, and had thrown them overboard; I made them to understand that they would be liable to prosecution; but, however, it passed away.

3143. You did not prosecute?—No.

3144. You have been at some pains to ascertain the opinions of the stockowners as to the state of cattle in the country?—Yes; I may state to you that a Bill was brought in last year by Sir William Miles and Mr. Holland; we thought that the clause would so meddle with trade, that I came to London myself and explained it to the Scotch Members. Mr. ——— was not in the House; however, that Bill was withdrawn. This year, a Bill being brought in by Government, at a meeting of salesmen, I was asked to come to the House of Commons and give evidence on behalf of the salesmen, and I put some questions which I will hand in to you. I sent so many to every county in Scotland, and put queries to them; they were returned, and now lay here, and give my own idea that there was a very great mitigation of disease of all sorts.

3145. These are answers to your inquiries?—Yes; you will see that they were posted from ourselves, and sent back (*handing the same to the Committee*).

3146. It was to ascertain the opinion of the stockowners with regard to the Bill now before the House?—Yes; I am not giving that as evidence, but merely as their opinion.

3147. What do you find that their opinion generally was?—There is not a man in the whole of that list but is against the Bill; at least, with regard to the foot-and-mouth disease.

3148. But if that was excluded?—The next thing is with regard to the lung disease; it is so very trifling, that I think myself, in Scotland, this Police Bill is quite sufficient. I am afraid, if you pass this Bill as it at present stands, it will first affect the land proprietors; for instance a great many gentlemen have cattle out in their grass fields, which are usually sold at the end of the grass season; the fall comes, and the beasts may take pleuro-pneumonia; without there is some precaution taken with regard to the clauses, what is this man to do? he has no redress; his rent has to be paid.

3149. The result of your inquiries is in effect that the Bill is not favourable to stockowners?—No; I think, with regard to grazing cattle, there should be a clause in the Bill that if any man who goes and buys cattle, knowing them to be diseased, either sends them to an agent, or sells them himself, without informing the party buying them, it should be a fraud, or that that party should be punished. It has been done once or twice; there were some cattle sent to me from Dumfriesshire; the cattle belonged to a man of means, and he sold them to one of his drovers. We could get no redress against that man; the proprietor sent them to Falkirk, and five of them died in one week; they took them to Edinburgh, and sold them as diseased cattle at half the price which they would otherwise have fetched.

3150. Have you efficient inspectors in Edinburgh and Leith for the arrival of foreign cattle?—We have a first-class man to inspect the arrival of boats, that is ProfessorDick; I think myself that the whole inspection which you require in Edinburgh is to put a proper party in the slaughter-houses and to visit butchers' shops; I was, I think fifteen years a butcher myself, and I know pretty well as to condemning a beast that has been affected with lung disease; I am perfectly confident that a bullock which has the lung disease is quite wholesome when firm, and fit for human food, until it comes to the stage when it gets full of water, and soft, in the beef, and then I think it should be destroyed.

3151. What sort of inspection do you look to in the market as being perfect?—I think the Leith inspection; we can get no better than Professor Dick; with regard to the slaughter-houses, I do not think the inspector there is a proper party to be employed; I believe it is from that that there has been so much noise got up about this disease.

3152. By whom is the inspection carried on?—By the Town Council; I think that they are about to employ a proper party, and to give a good salary; I think myself that no man is entitled or fit to be a judge of butchers' meat but a man who has been a bred butcher.

3153. Is pleuro-pneumonia easily to be detected in an early stage?—No; at least, I could never detect it; at Falkirk we have sometimes from 90,000 to 100,000 sheep, and from 40,000 to 50,000 head of cattle. All the inspectors of England and the United Kingdom could not tell you whether they were diseased or not.

3154. On whom does the loss fall in Edinburgh, in the event of meat being condemned as unfit for human food? Does it ever come back to you?—If a beast comes to me to be sold, and I think it is unfit for human food, it is sold to a butcher, if it is passed, after it is slaughtered. He pays for what he buys, and if it is condemned he gets back his money; that is to say, if it is killed the day he buys it, or condemned as unfit for human food.

3155. But in the event of its being killed three days afterwards?—No, we cannot do that. It is a ready money market. Edinburgh and Glasgow are ready-money markets, and it would interfere with trade altogether to give a guarantee; we could not do that?—Beyond what day.

3156. If a diseased bullock is killed the day it is bought, and then condemned as unfit for human food, I have commonly given back the money; I believe the law would enforce it. I have not the least doubt myself that if it was killed the

the day it was bought, I have always allowed the money to be given back.

3157. It rarely occurs that a butcher kills a beast the same day that he buys it?—Very often in Glasgow.

3158. But in Edinburgh?—Not so often.

3159. Does he take the whole loss on himself, in the event of his not killing the animal the same day he makes the purchase?—I think it is very seldom. I think mostly now, since the agitation about this Bill came in, most of the doubtful cattle are sent to the slaughter-houses, and not brought to the market at all. I think for the last 12 months, it has been very seldom that you see a diseased beast in the market.

3160. Mr. *Leslie.*] The warranty alluded to is merely a conventional arrangement?—You cannot enforce it by law. If a butcher buys a beast, and finds it condemned as unfit for human food, he makes the appeal to you; and you, as a matter of good faith, give him the price, but you are not obliged to do it?—I think the law would force me to do it.

3161. What law?—Our common law.

3162. Mr. *Thompson.*] It is the custom of the country?—It is not the custom, but it has been done.

3163. Mr. *Leslie.*] I understood you to say that this custom prevailed somewhat extensively in Leith, but was not so general in Edinburgh?—In Glasgow, where there are so many working people, and small butchers who have not got much money; hence they commonly kill the moment they get the beast off the market.

3164. Mr. *Thompson.*] You have said that it is doubtful whether scab should be introduced into the Bill or not, and that it would be liable to stop trade, if I understand you right, because sheep, in travelling, if they get heated in their skins, may be supposed to have scab when they have not?—It is the travelled sheep which I wish to have kept out; I say that it is a very good clause to have in, to force a farmer, or anybody who is careless, and allows scab amongst his stock, to get them clean. The travelled sheep which came from Inverness and Sutherlandshire, where they travel from 21 to 29 days before they get the length of Falkirk, and one-half of them often bordering on scab, are generally cleaned when they get home, but then there are many careless farmers who allow their stock to get scab; I think that there should be a clause, and a very necessary clause, in the Bill, to force him to clean his stock.

3165. Is it not your opinion that an inspector, if he was fit for his post, would be able to distinguish between the heat and the skin, merely from driving and scab?—Perfectly, if he was a judge of scab in sheep.

3166. He ought to be able to know scab from the heat brought on merely by driving?—Yes; but very often, if they are not washed immediately after they get home, they would soon get into confirmed scab. There are small farmers in Scotland, perhaps, gets his two or three score of sheep, and cannot afford to keep a shepherd. He may not be aware that his sheep are getting into scab.

3167. I am asking now for information. You do not mean that a sheep would get the scab merely from driving without any infection?—Yes.

3168. You think that the mere heat from driving would produce scab?—Yes; or even by sending in a boat.

3169. If so, that scab might be communicated to others?—Perfectly.

3170. You would require that they should be dealt with by the Act, even if it was only brought on from the journey?—I think it would be a very good thing, placing the clause in such a way as to exclude driven sheep, because, if this was put into the schedule of diseases, it would make everyone very cautious to keep their sheep clean.

3171. You have had large experience in sending stock by railway?—Yes.

3172. You approve of washing the trucks?—Certainly.

3173. Do you think it proper that railway station-masters should have the power of refusing to carry stock because they think them diseased?—Certainly not.

3174. Do you object to the owners or consignors of stock being called on to sign a certificate that the stock is sound?—Well, I do not know. We have the railway as common carriers, and consequently it would be a very strange thing to give them the privilege. If ever they were short of waggons, they would make the excuse that the stock was diseased, and they could not carry them.

3175. You have already answered the question as to their power of refusing them; but I am now speaking of the power of consignors of stock to sign certificates, not to stop the stock?—I have no objection to a man sending a diseased beast; I would not object to that at all. We are as anxious in Scotland to get this lung disease put out as anybody in the United Kingdom; and we have done everything in our power to assist in that; but I am afraid that there may be too stringent measures with regard to grazing cattle. For instance, I made the remark before, what would a large grazier do if one or two of his beasts were dying, or taking pleuro-pneumonia just at the time, and there was a law that he could not take them to a market, and November came when he had no more grass, and he was required to pay his rent? It is a very good thing in the law; but then it must be tempered not to be too stringent, and not to intermeddle too much with the dealer or owner of stock.

3176. Have you any suggestions to offer as to the precautions to be taken in moving cattle by railway?—No. I think we have got a great deal of disease from Ireland, but they do not give us power. Take the large markets before Falkirk Trist, or Hallow Fair. When they come over, they are crowded in the steamboats and afterwards in the waggons. At Dublin I have seen them lying for a week, and the boats are crowded; hence they get cold, hunger, and want of water; and I believe that that is one of the reasons why we have a good deal of disease engendered in Irish cattle.

3177. Colonel *Barttelot.*] What effect do you think, supposing this Bill was passed into law, it would have on your trade with regard to the restrictions which are now placed in this Bill to the inspection of cattle and sheep coming into fairs?—I should like to know who could be able to inspect them; I have seen 600 in one train, which had been all night out in the sleet and rain coming to Hallow fair, and no man or inspector could tell whether they were all diseased, or whether they

Mr. *J. Swann.*
17 June 1864.

were all sound. I do not see how it is possible that they could be inspected.

3178. Then, in those large fairs, it is your opinion that no amount of inspection would be a guarantee against diseased animals being in that fair?—Decidedly not.

3179. Do you think that pleuro-pneumonia is on the increase or on the decrease?—It is on the decrease decidedly. We have not now one for four that we had two years since, and less than that I think. These circulars may lie on the table if they are of any use; you will see how they are got; they are posted either from the bankers or from our own office, and there are the questions if you think proper to examine them, not as any evidence I am giving myself, but from the connexion that I have in England, Scotland, and Ireland. I send a great deal of stock to Ireland, and a good many short-horned cattle to Germany; and it would answer us very badly if disease was spread. I have not had a complaint as to any cattle I have bought and sent on commission for 18 months.

3180. As a very large buyer of stock, is it your opinion that the breed of stock in Scotland are generally very healthy or not?—They are very healthy in Scotland; I only remember twice having West Highland cattle affected with pleuro-pneumonia once about 15 years since, and the other time I did not see them; they came from the West Highlands. It is very seldom that the West Highland cattle are affected with pleuro-pneumonia.

3181. Have you ever seen small-pox in sheep?—Never; it is not known in Scotland.

3182. And you know nothing about the disease?—Nothing.

3183. Lord *Naas.*] You say you believe that a great deal of the disease that is found in the Irish cattle arises from the bad treatment on the journey?—That has always been my opinion.

3184. I believe they are frequently thrown into the sea to be washed?—Many a time.

3185. After being crowded into the hot holds of vessels?—Yes.

3186. And they are very often kept exposed in yards for a long time?—Yes. It is a regular occurrence with a great deal of the cattle coming to Falkirk, to take them and swim them through the Carron water to clean them.

3187. And that must be very bad for them?—Certainly.

3188. Do you think it would be possible to introduce any clauses into this Bill which would prevent this bad treatment of the cattle?—I think that could be done very well, by putting a man to look over the boats carrying a certain number of cattle.

3189. Would you propose to insert a clause against overcrowding steam boats?—Certainly.

3190. What would be the nature of the clause. Would you give some inspector or official power to see the number of stock a vessel might carry, or how would you do it?—I would give the power to the magistrates of Dublin and Belfast, and make it imperative on these parties to put a qualified person to see that the boats were not overloaded.

3191 You would say each vessel should carry so many yearlings, so many two-year old, and so many full-grown cattle?—Yes.

3192. Do you think that would remedy a good deal of evil? I am sure it would; I think I stated last year to Lord Clanricard that my opinion then was that a good deal of disease was engendered by want of steamboat accommodation. I was in London to give evidence about a boat Bill, and I thought it would be much better if we had more accommodation.

3193. Would you propose to extend these regulations to railways. You are aware that it is very often the practice for parties conveying cattle by railway to take a truck, and crowd as many beasts into the truck, so much so that careless or inhuman carriers will often put nine or ten animals into a truck that is really only fit for carrying six. Do you think that ought to be put a stop to?—Certainly there should be qualified persons, both on railways and steamboats, and I believe this disease would very soon leave the country altogether. I believe myself that, for the last eighteen months, every man who is now a large stockholder has been paying more attention to his stock than before.

3194. And the precautions against disease are beginning to be better understood than they were?—Very much better.

3195. I suppose you have read this Bill carefully?—Yes.

3196. Do you think generally that the Bill is necessary for Scotland?—With regard to the transit of stock certainly it is; with regard to that clause about scabby sheep, I think it is very good, provided it is put in such a form that it is not oppressive on parties who drive sheep.

3197. Then you think these are the only parts of the Bill which are necessary?—I am not against the lung disease being put in if a party comes and sells store cattle, knowing them to be diseased.

3198. You think that ought to remain?—Yes; but with regard to stock, if a farmer has a lot of fat cattle, and any of them go off their meat, he does not know whether they are seized with pleuro-pneumonia or not. He commonly puts them into a waggon, and sends them to Edinburgh, where they are usually sent to slaughter-houses to be killed. It would be a very bad business if they were to stop that. The only thing is to have proper inspectors in the slaughter-houses and butchers' shops. For my own part, as far as I can judge, I think that is the inspection we require in Scotland.

3199. It would be a great evil if anything were done in the Bill to prevent parties possessing cattle which were in a good condition from sending them to market for the purposes of human food, even though they should be in the earlier stages of disease?—Certainly. In these cases we sell them as diseased cattle, and they then come under the inspector when slaughtered. We know the district they come from; if they come from the north we expect there may be something wrong, and will not sell them until we are perfectly made aware the cattle are sound.

3200. Is it your practice to inform your buyer that you know a beast is diseased, or even suspect it?—We would not on any account sell cattle that are diseased, as sound, knowing them to be diseased.

3201. You always inform the butcher if cattle are diseased?—The fat cattle.

3202. Yes?—They come to a fat market. We never ask anything about them. Cattle brought into the fat market are sold as fat cattle.

3203. Do you not tell them?—Yes, certainly; but

but we do not know till a bullock is killed whether it is diseased or not.

3204. Then you take no cognizance of them at all?—No.

3205. Mr. *Leslie.*] You are aware the Committee have decided upon excluding from the Cattle Diseases Prevention Bill the foot and mouth disease?—Yes.

3206. Do you think public opinion in Scotland would be favourable or unfavourable to striking it out of the Importation Bill. Would you have it in or take it out?—I will not give my advice on that because I am getting a great deal of foreign stock myself. I believe the Scotch people do not care to see foreign importations; but I would not like to give advice on foreign cattle.

3207. You have no opinion on the subject?—No; I could not give my opinion about foreign cattle. We were certainly highly pleased in Scotland that the foot and mouth disease is struck out of the Home Bill. There is one thing with regard to foreign cattle; I am confident they are not beasts affected with the lung disease that have come into our hands. Mr. *J. Swan.* 17 June 4864.

3208. I am speaking of the foot and mouth disease?—The foreign stock on landing have been freer from disease than any cattle we have in Scotland. For some time last summer there were some of the Prussian cattle that are kept long on the voyage affected with murrain, but they commonly were killed in Leith in the slaughterhouses there.

3209. Mr. *Miller.*] Why are you more cautious about selling cattle that come from the north than those that come from proximate distances?—We know distinctly the district that requires cattle for feeding; we know when we have cattle from a district from which we know they should not be sent. We have doubts and make inquiries about it.

Mr. GEORGE TEGG was called in; and Examined, as follows:

3210. *Chairman.*] YOU are a Veterinary Surgeon, I believe?—Yes. Mr. *G. Tegg.*

3211. And Inspector of the Metropolitan Cattle Market?—Yes.

3212. Under what Act have you powers in that market?—Under a local Act.

3213. Is it under the Metropolitan Market Act?—Yes, I think it is.

3214. Under that Act, I see, you have power to inspect and examine any cattle and dead meat exposed or offered for sale to enter into any building, shop, stall, &c., to seize any such cattle, and to report such seizure to a justice of the peace, who may order such cattle or meat to be disposed of?—Yes.

3215. Do you think that is a power which it is advantageous to the public you should have in the market?—Yes.

3216. Do you exercise it often?—It is very seldom that I can find the owner of the beast, and therefore I have it destroyed immediately; if I find the owner, my instructions are to go to the city solicitor.

3217. When you see a beast which you consider unfit for human food in the market, do you order that beast to be destroyed?—I send it immediately to the slaughterhouse, have it slaughtered, and make a post-mortem examination; If I consider it fit for human food I pass it; if not, I generally go to the slaughter-house myself, and see that it is properly disposed of, although there is an arrangement about to be made, that the bodies should be washed with creosote before they are left.

3218. In order to prevent their being used for human food?—Yes.

3219. Do you have many foreign cattle in Copenhagen Market?—Yes.

3220. Do you think the foreign cattle affected with the foot and mouth disease should be allowed to be sent into the market?—I do.

3221. And not stopped at the wharf?—No.

3222. Why?—Because it is a disease that is so easily remedied; I know many people, for instance, who turn in beasts with the foot and mouth disease amongst their cows, so that they should have it prior to their calving, to get them over it.

3223. Have you seen much of that disease in the metropolitan market?—At times, a great deal.

3224. It varies?—Very much indeed.

3225. You are aware the Committee have come to the resolution of excluding the foot and mouth disease from the Cattle Disease Prevention Bill, which affects the home trade; do you think, therefore, it should be excluded from the Cattle Importation Bill, as respects the foreign trade?—I think so.

3226. You would give no power to a custom-house officer to stop a beast, on arriving in this country, however bad the beast might be with foot and mouth disease?—Well, I do not know; you are now speaking of an almost isolated case.

3227. I am speaking of such cases as the inspector told us that he had seen, of their hoofs dropping off?—I would have them slaughtered, if that was the case, for the sake of humanity, or I would have them sent up to their destination in a conveyance. In a case of that sort I would have them slaughtered.

3228. If a slight case, you would not stop it?—No.

3229. Do you think, from your observations in the market, that the disease of pleuro-pneumonia is more or less prevalent than it has been in former years?—It is decidedly less prevalent. I have very few cases indeed. The cases I have had have been old cows that have been kept in dairies.

3230. Are they sent generally to Copenhagen Fields for sale?—I do not think they send them so much as they did; there are very few cases now.

3231. Do you often have sheep with scab in the market?—Yes; slight cases.

3232. Do you think there should be a penalty for sending sheep with scab into the market?—Yes; I think there ought, if it is sent knowingly, because I think it is a disease so easily got rid of.

3233. You think there should be a penalty for sending beasts with pleuro-pneumonia into the market?—Yes, in certain stages.

3234. Would you prevent a person sending a beast with pleuro-pneumonia to a fat cattle maket, such as your market for example, if the beast was fit for human food?—I think in that case

Mr. G. Tegg. 17 June 1864.

it would be much better to have it slaughtered at once, at home, because the earlier it is slaughtered the better if it is a fine bullock.

3235. You think the owner ought to kill it, and send the carcass up? — Yes; that would be better.

3236. Do you often have beasts with pleuro-pneumonia in the market?—No.

3237. Have you condemned many?—We have many cases that are never detected in the early stages; for instance, I knew two beasts that were sold the other day for 66 *l.*, and no one knew anything of it until after the animals were killed.

3238. Was the value of the animals affected by it in the least?—No; nor the meat.

3239. Mr. *Thompson.*] Do all the diseased cattle that come into the metropolitan market come under your notice?—Yes.

3240. Have you much disease amongst the cattle coming up by railway?—I have nothing to do with anything out of the market.

3241. They do not come under your notice? —No.

3242. Do many foreign cattle come under your notice?—All the foreign cattle that come to our market.

3243. Are there a large number diseased among the foreign cattle?—No; they are particularly free from disease.

3244. Do you attribute that to the inspection that takes place at the port?—No doubt it is; and also the inspection that takes place at Hamburg, and other ports of export. For their own protection, I believe, they have them inspected.

3245. You do not object to the exclusion of animals that are suffering with the foot and mouth disease, or any other complaint, if they are badly diseased?—No.

3246. Do you think that is right?—Yes, if they are badly diseased.

3247. And that would not inflict any hardship on the shippers?—No.

3248. *Chairman.*] Have you any other observation to make respecting the Bills?—No.

Martis, 21° die Junii, 1864.

MEMBERS PRESENT:

Mr. Baring.
Colonel Barttelot.
Mr. Beecroft.
Sir Thomas Burke.
Mr. Caird.
Mr. Cox.
Mr. Joseph Ewart.
Lord Naas.
Mr. Hodgkinson.
Mr. Holland.
Mr. Hunt.
Mr. Leader.
Sir William Miles.
Mr. Miller.
Mr. Thompson.
Mr. Alderman Salomons.

T. G. BARING, Esq., IN THE CHAIR.

MR. CHARLES HUNT, called in; and Examined.

Mr. C. Hunt. 21 June 1864.

3249. *Chairman.*] You are the Comptroller of the outdoor department of the Customs?—I am.

3250. The Commissioners of Customs have given certain documents into your hands to lay before the Committee?—Yes.

3251. Have you the Order in Council under which the examination of cattle imported into the port of London has been conducted?—I have; it is dated the 28th July 1856.

3252. Will you put that in?—Yes. (*The Witness handed the same to the Chairman*).

3253. Have you any other subsequent Order in Council?—I have an Order of the Commissioners of Customs, No. 113 of 1856, issued with reference to the Order in Council of 28 July 1856.

3254. Will you put that in?—Yes. (*The Witness handed the same to the Chairman*).

3255. Have you a copy of the proceedings of the Board of Customs relative to a case of cattle stopped at Leith?—I have.

3256. Will you put that in?—Yes. (*The Witness handed the same to the Chairman*).

MR. GEORGE BROWN, called in; and Examined.

Mr. G. Brown.

3257. *Chairman.*] Do you reside at Avebury, near Chippenham?—I do.

3258. You are, I believe, a very large farmer in Wiltshire?—Yes.

3259. How many acres of land have you?—About 600 acres.

3260. You keep a large quantity of sheep?—I do.

3261. Have you seen the Cattle Diseases Prevention Bill, which has been referred to us?—I have not.

3262. Are you aware of the present state of the law with reference to small-pox in sheep?—No, I am not quite aware of it.

3263. Are you aware of the proceedings which took place on the outbreak of small-pox recently?—I am quite aware of it.

3264. Do you consider that the powers then exercised by the Privy Council were of use in order to stop small-pox in sheep?—Yes, I believe so; but I thought, at the time, not to its full extent; we were in hopes it would have gone further.

3265. That there would be stronger powers?—Yes.

3266. In what respect?—To check the importation, or to have seen that there had been no disease in any way whatever; not to have suffered them to have gone into the country, or into the London market.

3267. You think that sheep with small-pox had been imported from abroad, and thereby the disease had been spread?—Decidedly.

3268. So that you would be against any relaxation of the check on the importation of diseased sheep into the country?—Quite so; unless there were greater precautions taken to prevent its being disseminated amongst stocks in general, by coming into the Smithfield Market. Great numbers of them are returned, not being sold, and taken back into the country, and thereby the disease goes from one to another.

3269. Can you at all trace the last outbreak of small-pox in sheep to foreign sheep?—No, we cannot trace it to foreign sheep; but in the part of Wiltshire in which I reside, there are a vast number of sheep, which perhaps may be imported in Bristol, that are driven occasionally across our country.

3270. I suppose very few sheep come from Smithfield into Wiltshire?—I should say none; but they do come from Somersetshire, and from the Bristol markets.

3271. You think it is impossible that sheep might be imported into Bristol with the disease?—No doubt of it.

3272. With regard to scabby sheep, do you think there should be a penalty put upon a person sending scabby sheep into a store-market?—I certainly think so; it is a disease which is very injurious to the animal, and not only that, but it destroys the coat.

3273. Take Weyhill Fair for instance: do you think there would be any hardship in putting a fine of 20 *l.* on anyone who knowingly sends scabby sheep to Weyhill Fair?—I think not, myself; I think it is quite right that it should be so; I have lost a great deal by unknowingly

Mr. G. Brown. 21 June 1864.

purchasing sheep with the scab. You may purchase a thousand sheep not knowing that any of them have the scab, but still it is in the system; they have had it, and it is not visible to a person who may purchase them; but the moment they get home it will break out.

3274. Do you suppose that the man who sent those sheep ought to have known, or did know, that they had the scab?—I have proved that; and I have been a great sufferer by it.

3275. Do you ever take a warranty with sheep that you buy?—No, I do not.

3276. Is that the practice at all in the sheep trade?—Yes, it is, occasionally.

3277. If you took a warranty, you would have a remedy, I presume?—Of course; it is not a general thing, but still there are deceptions, particularly in scab.

3278. Mr. *Hodgkinson.*] You say you think that the man who sells scabby sheep generally knows the fact that they are scabby?—No doubt about it.

3279. Is it not the fact that a man will have his sheep dressed for scab, and believe them to be cured, and it will break out some months afterwards, after he thinks that he has effected a cure?—Yes, it will.

3280. So that a man might innocently take to market sheep which had scab in a dormant state?—Yes, frequently, no doubt of it; and those sheep are very liable to break out again. If it does break out, particularly at the fall of the year, it is very injurious, and a most difficult thing to get rid of, but not so during the spring and summer season.

3281. Mr. *Holland.*] You, I think, were the chairman on the occasion of forming the society to prevent the spread of that disease?—I was.

3282. What were your proceedings, in the first instance, when the small-pox broke out?—When we first heard of it, of course we became very much alarmed, not having had anything of the kind in our county before. Fortunately for us, when we did hear of it, Mr. Simonds was sent for, as soon as it was known to the parties to whom the sheep belonged. Mr. Simonds came down, and recommended a course, which was adopted by those gentlemen to whom the sheep belonged; and, at the same time, it appears that Mr. Gamgee was travelling in the county, or in some county adjoining Wiltshire. He also heard of it, and hastened to the scene where he understood small-pox had taken place. I think I must say that very great credit is due to Mr. Gamgee on that occasion. He came down. He did not pursue the same remedy which Mr. Simonds had recommended, but a more decided one. He was for having the sheep destroyed, and separated. I must say that I think a very great deal of credit is due to Mr. Gamgee, for the course which he recommended to be adopted, and which totally prevented its spreading so much as it would otherwise have done.

3283. How did that differ from the course adopted by Professor Simonds?—Professor Simonds recommended that the sheep should be inoculated. By that means we considered it was encouraging the contagion of the disease, and spreading it about; and not only did we consider it to be so, but it proved to be so. A vast number of sheep died in consequence of that system being adopted.

3284. I see in this memorial that it is recommended that, by an Order in Council, there should be a prohibition against inoculation; do you still abide by that opinion?—Yes.

3285. From your experience?—From my experience, decidedly.

3286. Sir *William Miles.*] How many sheep do you keep?—Between 700 and 800.

3287. You say, when the outbreak took place in Wiltshire, you had the attention both of Mr. Simonds and Mr. Gamgee directed to it?—Yes.

3288. Mr. Simonds directed inoculation?—He did.

3289. Which you say, in many cases, was fatal?—It was.

3290. Was that Mr. Gamgee's plan?—Mr. Gamgee was for killing them at once, and for separation.

3291. Had you any sheep vaccinated in Wiltshire?—They were vaccinated in Berkshire, not in Wiltshire.

3292. Were they done effectually?—They were.

3293. How many had you vaccinated?—Six were vaccinated.

3294. After the vaccination was over, did you place them in situations in which, if vaccination was useless, they must have caught the small-pox?—We did. We placed them with the most virulent and greatest diseased sheep that we could select. I never saw sheep in such a state in my life. I have not got the exact date, and therefore I hope that I may be forgiven if I do not state it exactly; but I think they were living together 12 or 13 days. They were penned up at night in a place about half the size of this room.

3295. Out of those sheep which they were penned with, and which had nothing done to them, do you recollect the number that in the course of those days died?—I do not remember the number that died.

3296. Were there several of them?—A great many died; I saw them lying dead. That was in Berkshire, some considerable distance from me, but I went to see them; in fact, it was through me that they were vaccinated.

3297. This was the first trial you made as to vaccination stopping infection, was it?—Yes.

3298. Keep your mind on these six sheep, and tell the Committee what was done afterwards with them?—After they were vaccinated, and had been living with these sheep in this virulent state for about the time that I have mentioned, to prove or to test whether there was anything in vaccination or not, I went with the gentleman who vaccinated them, and saw them, and at my request he inoculated them. He took the virus from one of the most virulent sheep that were there; in fact, as he expressed himself, nothing could be in higher perfection than that which was introduced into these sheep that had been vaccinated. That was done in the inside of two of their thighs, all six of them. Of course they took it, and two out of the six died; but my strong impression is, that had they not been inoculated at all, they never would have taken it. That is my strong impression; for those that had been living with them for that time, penned up so close together, breathing the breath which came from the diseased sheep, and partaking of it as much as they possibly could, were in good health, being exceedingly well, when the others were pining and dying away around.

3299. But still the vaccination did not place them beyond the influence of the small-pox?—It did not.

3300. What became of the other four sheep? —They were given to the gentleman who had consented to their being placed with the diseased sheep. What became of them afterwards I do not know; they were either killed or sold.

3301. You lost sight of all four of them?—I lost sight of them after that time, but not until after his flock had recovered.

3302. Is it your impression, from what you saw of those six sheep that were vaccinated, that vaccination is, in a certain way, preventive of small-pox?—I should think so, and I believe so.

3303. Was that the general opinion of those who were associated with you in Wiltshire?—It was; it was on a small scale, not on an extensive scale. That was the scale of it, and that was the number. I have a very strong impression myself that, taken in time and with separation, it is a preventative. I can give you an instance of separation, where Mr. Gamgee was present, who recommended the steps to be taken. The flock of a neighbour of mine close to me, and whose flock adjoins mine, was taken with this disease, and they were taken home. I think there were half-a-dozen of them, as near as I can recollect. Mr. Gamgee happened to be passing through the country the very morning when it was discovered that these sheep were diseased, and he gave it as his opinion that they were in a bad state, and recommended that they should be killed immediately. My neighbour acted on his opinion, killed the sheep, and they were buried, according to his instructions. The other four were put into a house, confined closely together, and they remained in that house, I should say, for six weeks or two months. When they had their liberty they were perfectly well, and there was no disease whatever about them. Mr. Symonds, doubting whether Mr. Gamgee might be quite right with regard to their having the small-pox, wished to have them examined. I was present with him when it was done. He looked at them, and said they were in a most dreadful state, and the steps which had been taken were perfectly correct. That case ended, and there were no other diseased sheep in the flock, or amongst those that had been living with them, for, I should say, 24 hours; they never took the disease of those two that were killed.

3304. Then the Committee are to understand that you look to separation of the diseased sheep, and the destruction of those that are very bad, and likewise to vaccination as the best mode of preventing the disease?—Decidedly so.

3305. And that, from having seen the effects of inoculation, you would recommend the sheep farmers not to adopt it?—I should decidedly recommend them not to adopt it.

3306. Can you tell us at all the number of Wiltshire sheep that were inoculated by Mr. Simonds?—I cannot tell you correctly, but I think that there were many hundreds.

3307. Did most of those fall under your own observation?—They did not.

3308. But from representations which you had, and from those cases which did fall under your observation, how many per cent. do you think of those that were inoculated died?—That is a question which I could not correctly answer. It is rather a delicate thing, and we did not interfere or take more notice of it. Mr. Simonds came down, and was sent for by those gentlemen where the disease was raging to a very great extent. He did not feel quite satisfied or pleased with the interference of Mr. Gamgee; and one party was in favour of Mr. Simonds, and another party rather in favour of Mr. Gamgee; so that we, who rather fell in with Mr. Gamgee's view, did not like to make ourselves officious at all, or to interfere with Mr. Simonds in any way; because we wished to be unanimous, and for there to be a good feeling amongst us. Therefore we did not interfere, or take so much notice of it, as perhaps we should otherwise have done.

3309. Did you, after the disease was alleged, publish a report from your society?—Yes.

3310. Was that report generally agreed on by the farmers in Wiltshire?—It was agreed on at a county meeting.

3311. Specially held for the discussion of the subject?—Specially held for the discussion of the subject. At that time, I may say, it threatened the county in a most serious way, and at that time we really were so alarmed, that we could not say what the effect of it might be. Still we have reason to be thankful that it was overcome.

3312. Will there not be a good deal of difficulty if scabby sheep should be turned out in Wiltshire, in defining where the enclosure should be in which those sheep should be kept?—In Wiltshire it is so open, that if scabby sheep are unknown to be so, at the time they are turned out, it may be attended with very serious loss indeed.

3313. But still, as I understand, notwithstanding the great openness of Wiltshire, and the difficulty of always keeping the flocks separated, you would recommend that scab be introduced under a 20 *l.* penalty, if a person knowingly turned out scabby sheep?—Certainly.

3314. *Chairman.*] I understood you in your evidence to say, the power now given to the Privy Council to order the destruction of sheep, is a very valuable power?—Yes.

3315. You would be sorry to see that power taken away from the Privy Council?—I should indeed.

3316. Lord *Naas.*] Do you think that the powers which are given to the Government, in the present Bill, are sufficient to prevent any further outbreak of small-pox in sheep?—I have not read the Bill.

3317. I do not mean the Bill, but the existing law?—The existing law prohibiting?

3318. Yes?—I am not quite aware of it. I could not speak to that. May I be allowed to make one observation? You cannot be too particular in the prohibition of anything of the kind; and the terms cannot be too strong, nor the penalty too great. It not only affects the flockmaster, but it affects the whole community of England. We all suffer from it, more or less, and therefore it is impossible to take too great care, or to have too great precautions made use of to prevent any kind of disease coming to this country in any way whatever; we are now depending solely on sheep, and it is that alone which upholds agriculturists. I do not know what would become of them otherwise. Every one is depending on it for cheap mutton, if they can obtain it. At present, I know it is not so. Still, we ought to do everything in our power to prevent disease lessening the food of the country. Therefore I think the terms cannot be too strong to prevent any kind of disease which would destroy life.

Mr. Joseph Kilbee, called in; and Examined.

Mr. *J. Kilbee.*
21 June 1864.

3319. Lord *Naas.*] What is your profession?—I am a cattle salesman and grazier.

3320. Where?—A cattle salesman in Liverpool, and a grazier in Ireland.

3321. Have you been for many years engaged in the profession of salesman, and also in grazing and feeding cattle?—Yes; I have been all my life grazing cattle, and had 20 years' experience as a salesman.

3322. So you have had considerable experience in both professions?—I should say so.

3323. Has your attention been very much directed to the existence of pleuro-pneumonia in cattle?—Very much. It has been continually called to it.

3324. What is your opinion as to the present state of the disease; is it on the increase or decrease?—It is on the decrease.

3325. Upon what do you ground that opinion?—Eight years ago it amounted to something like six per cent. In the present year it has not amounted to more than one per cent.

3326. How have you ascertained that fact?—I keep a strict account of everything that happens, and of every animal that comes through my hand, not only for myself but for those I manage for. I manage other people's land as well as my own.

3327. And all your information tends to that opinion?—Yes, that is my decided opinion.

3328. With regard to the violence of the particular cases of disease, what is your opinion?—I think, like all other such diseases, it is less violent than when it first made its appearance.

3329. Is the existence of pleuro-pneumonia easily discovered in its earliest stages?—By watching it early in the morning the herds can discover it very much sooner than it could be discovered by a professional hand or eye later in the day.

3330. Will you tell me how the herds discover the existence of the disease?—When out in the fields, at four o'clock in the morning, they will see the beasts that have the incipient disease stand up, walk away from the flock, rub their noses against the grass, walk about as if they had the appearance of eating, and when the atmosphere gets warm they will return to their herd, and you will not perceive, at ten o'clock, what you can detect at four o'clock.

3331. So that the existence of pleuro pneumonia can be detected by men of that description sooner than it could possibly be detected by professional men?—Decidedly; my attention has been called by the herd, in the middle of the day, to an animal which was affected in the morning, and I could not perceive anything whatever the matter.

3332. Has your attention been directed to the clauses of this Bill generally?—Yes, I have read the clauses of the Bill.

3333. Will you take a copy of the Bill in your hand. I see by the first part of the Bill it is proposed that if "any person turns out or keeps turned out in any forest, &c., any diseased cattle, or places any diseased cattle belonging to him in a field or other place insufficiently fenced, or in the stable or other building of an inn, or of any other person (without the permission of such person), or takes any diseased cattle along any highway without using all practicable precautions to keep them separate from the cattle of other owners; or expose for sale any diseased cattle in any market, fair, or other place, whether public or private, where animals are commonly exposed for sale, or brings the same for the purposes of sale into any such market, fair, or other place as aforesaid, knowing or having reasonable cause to suspect the existence of disease in any animal to which this section applies, he shall be liable, in respect of every such offence, to a penalty not exceeding twenty pounds." Do you think there would be great difficulty in enforcing that provision?—Decidedly; it would be the destruction of all trade if such a provision were made.

3334. Do you think it would be impossible to carry it out?—I do.

3335. Do you see the sixth clause; "If the owner of any diseased cattle knowing, or having reasonable cause to suspect the existence of disease, sells the same to a purchaser without giving notice to him of such known or suspected disease, he shall in addition to any penalty which may be imposed on him by this Act, be deemed to have been guilty of fraud in making the sale, and be liable in damages to the purchaser for any loss or injury the purchaser may have sustained, by reason of or consequential on his having purchased the said diseased cattle;" do you think that is a necessary provision?—Not as the law now exists; the law is sufficiently stringent.

3336. How does the law affect a case of that kind?—There is the case of Malcolmson and M'Donnagh, who sold a lot of cattle in the fair of Ballinasloe; when the disease developed itself, he brought an action.

3337. Were you cognisant of the facts of the case?—I was examined as a witness on the action.

3338. You heard the trial?—Yes.

3339. Will you state to the Committee exactly what the facts were?—The facts were these; Mr. M'Donnagh, a large feeder in Galway, sold a lot of cattle to Mr. Malcolmson; the disease broke out amongst the cattle, and Mr. Malcolmson sued Mr. M'Donnagh for the amount of damage; he not only recovered the amount of loss sustained on the cattle, in a court of law, by record before the judge of assize; but recovered 1,750 *l.* or 1,570 *l.*, I am not prepared to say which; not only the amount of damages sustained on the lot of cattle, but the subsequent profits that might have accrued from the purchase of this stock; the judge allowed it. I think that such a law is sufficiently stringent to protect myself, and people like me, who are buyers to a very large extent of lean stock, and who would be the greater sufferers.

3340. That case was tried at the assizes?—By record at the assizes.

3341. At Naas?—At Naas.

3342. When was it?—It was about four years ago, I think.

3343. Do you know of any similar case, where such a question was tried?—I know a case where a dealer bought a cow of a farmer, in Kildare, sold it to a grazier, whom I know, of the name of Pigeon; the animal died with Pigeon; he brought an action against the dealer, and recovered from the dealer; the dealer brought an action against Byrne, the man from whom he purchased

purchased it, and he recovered from Byrne the value of the animal.

3344. That was recovered in the county court, I believe?—Before the assistant barristers; Malcolmson's case was tried by a special jury.

3345. You think that the law, as it now stands, fully provides for that class of cases?—I should benefit most by any law; and I say, I am quite content with that; although my purchases are very large during the year, I have never yet had to seek such a remedy.

3346. By the second part of the Bill, it is provided that the Government should, under certain circumstances, have power to make special regulation, by Order in Council, as to cattle; do you think that is an objectionable course of proceeding?—In what respect, may I ask.

3347. If you see that "Her Majesty may, by Order in Council, make certain regulations with respect to the following matters: (1.) The prohibiting or regulating the removal from any specified part of the United Kingdom, of cattle, or of the meat, skins, hides, horns, hoofs, or other parts of cattle, or of hay, straw, fodder, or other articles likely to propagate infection"?—It is perfectly absurd.

3348. Do you think that it would be very detrimental to the trade to give any such power to the Government to issue orders in Council of such a nature?—There would be no end to litigation, and all sorts of vices going on, if such a clause were inserted.

3349. By the fourth part of the Bill it is proposed to establish a system of inspection, over all cattle exposed for sale, at markets and fairs; do you think it would be possible to carry out an inspection of that kind?—It would be perfectly impossible to inspect every animal going to a fair; and, even if they had the power, I would place no value whatever on the inspection, or on the opinion of the inspector.

3350. Why not?—Because, in the first instance, he could not detect it if any disease were there, and, in 99 cases out of 100, he would be open to bribery.

3351. Do you think, in case the Legislature should adopt this system of inspection, it would be possible to provide persons who would be capable of carrying it out?—I think not; it could not be provided. I do not think that they could provide people who would carry it out honestly, and, even if they did, they must be very erroneous in their judgment. I, as a purchaser, would give nothing for their opinion; I would not value their opinion.

3352. Do you think it would be possible to establish anything like an inspection of live-meat markets or fairs without materially injuring the trade?—Perfectly impossible.

3353. In what way would it injure the trade?—How are the things to be inspected? Where are they to be inspected, when they come from all parts of the county, and from different counties? How could every animal's pulse be felt, and the stethoscope put to their sides, and all the etceteras to discover disease? It would be perfectly absurd; you would have no markets at all. I wonder at what time they would have all the stock shown in Ballinasloe Fair inspected.

3354. It would be perfectly impossible?—Perfectly impossible, even if it were honestly done, which I doubt.

3355. Do you think that the persons who conducted this inspection would then be subject to a great temptation of the kind you mention?—Indeed all such inspections, and all such opinions, I have seen open to corruption. It is very hard to get a veterinary surgeon to give you a honest opinion about a horse.

Mr. *J. Kilbee.* 21 June '864.

3356. Then it is your opinion that such an inspection would not carry any sort of weight with it?—None whatever with the purchaser; it would not be worth the paper it is written on, so far as I am concerned, and I am sure that all practical men would feel it so.

3357. Would your opinion also extend to the inspection of sheep as a preventative against scabby sheep being exposed in the market?—My experience of scabby sheep is very limited indeed, but I think that you cannot legislate for it either; it is a disease that will break out quite unknown to the owner. The disease may be incipient, and will come out in wet weather where it will not in dry weather, and will come out after driving where they have never had it at all.

3358. But with regard to both sheep and cattle, you think that the public are sufficiently able to protect themselves?—Perfectly; I have never yet found any difficulty about sheep, although my sheep-purchasing is not very large—not exceeding 2,000 or 3,000 in the year.

3359. Suppose that pleuro-pneumonia exists, in a large farm, to a great extent; is that not generally known in the neighbourhood?—Decidedly.

3360. And the purchasers are consequently cautious?—Yes, and there is a sufficient remedy. I have been purchasing, since the disease first made its appearance (something like 25 years ago), and I have not been a sufferer to any serious extent. It commenced at something like 5 per cent., and it has gone down to 1 per cent; last year it was rather less. I find that when the easterly winds prevail we have more of it than at any other season.

3361. Is it, then, your opinion that pleuro-pneumonia is contagious?—I am decidedly of opinion that it is contagious.

3362. Do you think it is also epidemic?—I do. I am sure it is, because animals that I have had in my own possession for 12 months have broken out with it when there has been no other mixture of stock. It must, therefore, be epidemic, or as you might take the fever or any other disease.

3363. Therefore you think that persons who watch these diseases do trace the existence of the disease very much to atmospheric causes?—Decidedly.

3364. Therefore, though precautions against contagion might be advisable, yet still it could not be held to be an entire preventative of the spread of the disease?—Certainly not; I am quite of that opinion.

3365. You are pretty well acquainted with the opinions of persons engaged in the cattle trade, buying and selling, and also in rearing and fattening cattle?—Yes.

3366. Have you been able to gather the opinions of that very large and important class on this measure?—I think the opinions that I state are those of the majority (and a very large majority) of the graziers; I do not think there would be found a dissenting voice.

3367. Have you ever heard any person of any influence engaged in this occupation say that any protection to the buyer is necessary in the store markets?—No; on the contrary, all scout the idea.

Mr. *J. Kilbee.*
21 June 1864.

idea. It is quite objectionable, and those are the parties who would be benefited by any legislation, because, being the lean-stock buyers, the loss would be very much greater than on the fat stock.

3368. Then it is your opinion, from your knowledge of this class, that the class of persons whom this Bill professes to protect do not want any legislation at all on the subject?—I speak from my own feelings, and all my friends object to any legislation whatever.

3369. Do they think that any legislation of the kind could be carried into operation without injuring trade?—Decidedly not; and they are quite enough protected by the law, as it now exists in the case of Malcolmson *v.* M'Donnagh.

3370. And they are satisfied?—Quite satisfied with that remedy.

3371. A very slight legislative interference, I presume, with such a trade as the trade in cattle would injure it very much?—Decidedly.

3372. Has your attention been directed to the clause with regard to railways and steamboats in this Bill?—It has.

3373. Will you state your opinion as to the necessity of these clauses?—So far as the cleaning of railway trucks and steamboats goes, it is a very good thing; but with regard to the watering at every 12 hours, that would be an impossibility. In the first instance, if my cattle were going by rail, and if they were to be taken out and reboxed, I would walk the journey rather than that. The punishment and the abuse which they would get in being taken out to be watered in the first instance, and then reboxed, would be more than the benefit they would derive.

3374. Then you think that any provisions which insist on that being done would be very injurious to the cattle?—So much so, that if I were sending cattle by rail, I would walk them if they were to undergo the process of unloading to be watered.

3375. Do you think that railway companies ought to be obliged to provide water at places where the cattle are put into the trucks; at the place of departure?—Decidedly.

3376. They ought to be obliged to supply water there?—Decidedly.

3377. Would you limit your interference to that?—To where they load and unload, but not to be unloaded for the purpose of watering.

3378. From which do cattle suffer most, the journey by steamboat or railway?—By railway very much more.

3379. What is the cause of that?—From the shunting of the trucks, and the sudden stopping. When cattle are sent by railway, the trucks are shunted, and they have to strain their feet and their hips; and their knuckle-bone, as we term it, goes against the boards, and they all come crushed. In the sale of fat stock, when butchers lay their hands on the hips of the cattle, they say, "These came by rail; I would rather buy those that came by steamboats."

3380. They prefer the animals that come by steamboats?—Yes.

3381. They come to market in a better state?—Yes; and when we buy largely in fairs far off, such as Ballinasloe, we make a distinct provision that our cattle are not to be stopped, that they are to have a special train all through, and they are to be stopped at no station from the time of departure until the time of delivery. That is part of the provision which we make when we have large quantities.

3382. Speaking generally, as regards steamboats, from your own observation of those steamboats that come into Liverpool, is there much overcrowding?—I never saw an instance of overcrowding; they cannot overcrowd.

3383. Will you describe to the Committee how the cattle are treated on board the steamboats?—There are two heavy rings along the head of each cattle; if the cattle are large, they are tied to these rings. They know what each boat will take; the agent comes down to see whether there is a vacancy, and the cattle are put together, as your fingers might be. If they were to be left loose, with the swaying of the boat, they would hit each other, and injure each other; but if they are put close together, they cannot injure each other.

3384. They are kept standing during the whole voyage?—There are bullock-men engaged on board, for the purpose of keeping them on their legs. In no instance are beasts allowed to lie down.

3385. Has your attention been called particularly to the sale of dead meat in Liverpool?—It has; always in fact.

3386. Are the regulations at Liverpool very stringent against the sale of meat which is unfit for human food?—Very stringent. There are three or four inspectors. There is the head inspector, who is called on to examine any meat that he thinks is unfit for human food. There are public *abattoirs* there, where the cattle are slaughtered, and he inspects the meat there; and if he thinks any carcass or portion of meat unfit for human food, he empanels a jury there, and then condemns it.

3387. That is constantly done?—That is constantly done.

3388. Now, with regard to the consumption of the meat of animals which have been killed with pleuro-pneumonia; will you state to the Committee how far, in your opinion, the existence of that disease affects the meat?—I am perfectly satisfied that it does not affect it at all; and so clearly was I of that opinion, that I took some trouble last April to get a quarter of a diseased animal, which quarter I sent to Professor Muspratt for his analysis.

3389. Did you see this beast before it was killed?—Not before it was killed; but the butcher did, and he can be examined on oath.

3390. Will you have the kindness to read that communication to the Committee (*handing a letter to that Witness*)?—This is from Professor Muspratt, as to this particular quarter of beef taken from the diseased animal.

3391. Who is Professor Muspratt?—He is about the largest chemist in Great Britain.

3392. He resides in Liverpool?—His manufactory is in North Wales, but his residence, I think, is in Liverpool.

3393. Will you read the letter?—Yes. "Mr. John Palin, butcher, Brownlow-street, Liverpool, May 2d, 1864. Fresh beef, sir! I have made a chemical examination of the sample of fresh beef which you sent me on the 27th ultimo, and which you have informed me was part of an animal suffering from pleuro-pneumonia at the time it was killed. The various experiments which I have made upon the meat, and upon the extractive matters which it yields, give no indication that would lead me to conclude the meat was not good and wholesome for human food, but rather the contrary. I could extract no principle

principle from it, either by distillation or other treatment to which I submitted it, to show it was tainted by the disease from which the animal suffered. The meat kept very fresh from the 27th ultimo to the 1st instant, when I had it cooked. I have partaken of portions of the sample cooked on the 27th, on the 30th, and on the 1st instant; and upon each occasion it was palatable, and in every respect as good and wholesome as any ordinary fresh beef that I have tasted. If there be any injurious principle in the meat (which I doubt) I am of opinion that it is one which chemistry can neither detect nor define. On physiological data, I would be understood to say, that if the animals affected with pleuro-pneumonia were killed during the first stages of the complaint, that is to say, before the air-passages of the lungs are seriously obstructed, and before the blood is charged with carbonaceous matters, which should have been expired in the breath, the meat would not be affected. If, however, the complaint took such a hold of the animal as would indicate that the blood was charged with such carbonaceous matters as would result from the depurating power of the lungs not being in operation, I would be led to think that in this case the meat would be tainted, however well the animal was bled during the slaughtering. The latter stage of the complaint would be indicated by the profuse perspiration, &c. of the animal, for it is induced by the difficulty which the animal has in breathing, in the first place, and, in the second place, by the effort which the system makes to throw off the accumulated matters of the blood. If proper attention were paid to the complaint, and the animals affected by it slaughtered before the disease has assumed the characters just described, I think the meat would be quite free from infection, and consequently good and wholesome for human food. Yours, &c., Sheridan Muspratt, M. D., Professor of Chemistry."

3394. Mr. *Cox.*] Do you know in what state that animal was killed?—It was known to have had the disease 10 days.

3395. Do you consider that the first stage?—Certainly not.

3396. Lord *Naas.*] You reside at Liverpool, I believe?—I do.

3397. Have you heard any complaints on the part of the public that meat unfit for human food was exposed for sale at Liverpool?—Never. It is impossible it can be, because the inspectors fine the parties. They are subject to very heavy fines for exposing any such thing for sale, or any diseased fish, or vegetables.

3398. And you think that the public are satisfied as to the mode in which those duties are performed by the inspectors?—Decidedly.

3399. Have you any other remark which you would like to make to the Committee?—No, I have not.

3400. Mr. *Beecroft.*] I think you said that cattle came in a better state when conveyed by steamboats than by railways?—Yes.

3401. Do not the cattle suffer very much on board the steamboats in rough weather?—Not unless they are thrown down.

3402. In consequence of stress of weather, are they not obliged sometimes to throw the cattle overboard?—That is to save the vessel, not to save the cattle.

3403. Does that frequently occur?—Not frequently; it has occurred, to my knowledge, once in 20 years, between Dublin and Liverpool.

3404. Are the Committee to understand that cattle do not suffer in very bad weather?—I never knew them to suffer. I ship on my own account annually something like 500 beasts, and I am concerned for parties who probably ship 10 times that amount.

3405. Lord *Naas.*] In the year?—In the year; and in my own experience of 20 years, I have only had one beast injured out of 500 on my own particular account.

3406. Mr. *Beecroft.*] I understood you to say that the sudden stoppage of trains and the shunting affected the cattle?—It destroys them; in fact, it ruins them. I have at this present moment a beast that never will recover until slaughtered.

3407. Would not the same effect take place on board a ship, in rough weather?—No, because it is a regular swaying. One is a collision, a jerking. If they went a little stronger, they would break through the barriers. Hence the collision on railways; hence the use of buffers for passengers, there being no buffers in the cattle trucks; and hence, if I have 300 or 400 beasts coming, I stipulate that the train shall go special, without stopping at any station, from the very fact of the unequalness of the movement. It is not the swaying of the trucks when they are going on a journey, but it is the stoppage and the departure.

3408. And the shunting?—And the shunting.

3409. Mr. *Hodgkinson.*] You say that the watering of the cattle, every 12 hours, would be so great an evil that you would rather walk them?—I would rather do so.

3410. What length of journey do you allude to when you say that?—For instance, I would walk them 150 miles.

3411. Do you not think that in a journey of 150 miles, if you had a provision that the railway companies should water them every 12 hours, that they would take them the 150 miles within the 12 hours?—That they might do. They would not do that at present for us. They stop for the passenger trains, and there are certain sidings where they will stay. I have known them to keep cattle for six or eight hours on a siding, waiting for passenger trains.

3412. Do you not think that the effect of the provision in the Bill, as to watering them every 12 hours, would be to cause the railway companies very much to expedite the transit of cattle?—Certainly, in that particular way they might do so; but then the evil would arise of their making that an excuse that they were obliged to do it.

3413. What is the shortest journey which you would take cattle by railway, in preference to walking them?—I would not take cattle for 40 miles; I would rather walk them than take them by rail. I do that, in fact, and even more. There is one journey where I walk them 80 miles rather than go by rail.

3414. As a rule, I suppose you would rather send them by rail for a journey of 50 miles than walk them?—Horses I would, but cattle I would not.

3415. You say, when you buy at Ballinasloe, you make it a condition that they all be sent through without a stoppage; where do you take them to from Ballinasloe?—To Kildare.

Mr. *J. Kilbee.*

21 June 1864.

3416. How far is that?—About 70 miles, I think.

3417. What length of time are they going that journey, without stoppage?—I do not know. We generally get them boxed in the evening; but some time before daylight they arrive at Kildare.

3418. You think it would be a great advantage if railway companies, in the transit of cattle, had fewer stoppages than they have at present?—Decidedly; it is very objectionable.

3419. Mr. *Miller.*] Will you tell the Committee if the feeding and breeding of sheep forms a considerable branch of your business?—The feeding of them, but not the breeding; we only sell the lambs.

3420. You are in the habit of having a considerable number of sheep for sale?—Decidedly.

3421. Do you think that scab in sheep should form a clause in the schedule of this Bill?—I think not.

3422. Has it come under your observation frequently, in the course of your business, that sheep arrive for sale, being in a state of scab?—I have frequently seen scab existing, but not to any serious extent. As a disease, it is nearly extinct. I purchase a lot of sheep that I am sure were all free from disease at the time I bought them, and by the time I get them home the disease breaks out, and my herd would cure them within a month; there will not be a single speck upon them.

3423. You are of opinion that it is very infectious?—Decidedly it is infectious; but it is so easily cured, that there is no difficulty.

3424. Will you tell the Committee the means which are adopted for the cure of scab?—There is a wash which we can buy at the chemists'; if not, you can make it up of tobacco-water and sublimate (blue stone), and it cures the disease in one dressing.

3425. As to the expense?—The expense is a mere bagatelle; the tobacco-water is about the most expensive portion of it.

3426. You have spoken about cattle dealers having sustained losses in consequence of having bought cattle diseased unknown to them; in the course of your business has it happened that you have had any claim from butchers having bought cattle which were afterwards condemned?—Never.

3427. It occurs frequently that meat is condemned in the markets?—When it is unfit for human food.

3428. Does that arise from the cattle having been sold to the butcher in a diseased state?—A beast may be fit for human food when killed, but within 12 hours may not be fit for human food.

3429. For instance, when it is killed, it has been fit for human food, and in 12 hours it has become unfit for food, in consequence of having that disease before it was killed?—No, in consequence of the fever and heat of the weather. The very best animals, for instance, Spanish, or, rather Portuguese bullocks, which arrive in large quantities, and which are very magnificent animals, if they are slaughtered in warm weather, the chances are that within 24 hours they are not fit for human food, although probably sold at 35 *l.* a-piece: that is in consequence of the extreme heat of the weather, not from the animal itself.

3430. Twelve hours, under ordinary circumstances, would not render a carcass unfit for human food?—I have seen one instance where meat could not be saved within six hours after its being slaughtered.

3431. In consequence of the animal being diseased?—No, not diseased.

3432. In consequence of the heat of the weather?—Yes, and in consequence of the fever which existed in the animal at the time—whether from the railway or from driving; it is more frequently from driving than from any other cause.

3433. Did you never know instances of dealers having to refer to butchers for loss they sustained in consequence of meat being condemned?—Never.

3434. Do you think there should be no law to that effect?—I think not.

3435. But that a butcher should stand by his own judgment?—I think the butchers need not buy an animal unfit for human food.

3436. They would be sufficient judges of the state of the animal?—I am perfectly satisfied that their own judgment would lead them to know whether an animal was or was not fit for human food.

3437. Mr. *Thompson.*] You object to the clause for the compulsory watering of stock on the railway?—Yes.

3438. Do you see any objection to that clause if it merely gave the option to the sender of having his stock watered at certain stations?—Certainly not, if it gave the option; but I am perfectly certain that no sender would unload his stock to water them.

3439. That applies to the journey with which you are conversant, which extends over how many miles?—Kildare is well known; it is about midway on the map, and I purchase cattle in Clare, Cork, Waterford, Limerick, and all that side. I would never have them taken out under any circumstances.

3440. If the cattle were sent 500 miles, instead of 150, still you think it useless to have a provision for watering them?—That is a very extreme case; a case that probably would not exist.

3441. It is a very common case indeed from Aberdeen?—I only speak from my own experience.

3442. You say that you have considerable experience in railway travelling with cattle?—Exceeding 20 years.

3443. Has your experience of injury caused by railway travelling been greater or less of late than it was in your earlier experience?—I do not think there is any variation.

3444. Are you aware that, in the early days of railway travelling, the cattle trucks used to be made without spring buffers, almost universally?—And are so still.

3445. Is that the case with the railways with which you are conversant?—In many cases; but, whether or not, both the stopping and the departure are alike injurious.

3446. I understand you to say that the greater portion of the trucks were still without spring buffers?—Yes.

3447. The injury of course caused in such cases would be very evident?—Yes.

3448. You have said that there is greater injury when travelling by railway than by steamboat. That chiefly applies to what we have just been speaking of, travelling without spring buffers?—Yes.

3449. In the case of the steamboats, you say you

you are not aware of any damage to cattle; have you been fortunate enough always to escape without their having to close the hatches on the journey?—I have been shipping probably 25 years or more, and my own shipping averages about 500 a year; I have only had one beast injured by steamboat.

3450. But you do not disbelieve the evidence you have heard from others of cases where a number of beasts have been suffocated from closing the hatches?—Of course that is to save the vessel.

3451. But in case of bad weather the hatches are closed and the cattle are choked?—It applies the same to human beings, to passengers going to America.

3452. Did you ever hear of their being choked under close hatches?—Yes, I did.

3453. *Chairman.*] Do you mean you have heard of people having been choked?—No; cattle.

3454. Mr. *Thompson.*] You said the same applied to human beings?—No; I said they had been battened down under hatches going to America.

3455. Not so as to choke them?—No. In the case of the "Albatross," sailing from Dublin to Liverpool, I know the cattle were smothered, killed on board from stress of weather.

3456. In the letter which you have put in, it appears that the answer of the professor is to the effect that there is a certain stage of the complaint at which the meat becomes unwholesome; up to that stage it is not unwholesome as food, but after that stage it is so?—It may become so. That animal had been ten days with the disease upon it, and probably the Committee are not aware that the disease will exist for, it may be, 10 days more without being discovered by a casual observer.

3457. The letter states that at a certain stage of the complaint the meat might be unwholesome for human beings; how, without inspection, would you distinguish the cattle which had arrived at that stage of the complaint from those which had not?—I do not know that I could, because that case was about the worst case that we knew of. It was 10 days with the disease existing on it.

3458. Your impression is that, however bad they are, they would not be unwholesome for human food?—That is my impression.

3459. Mr. *Holland.*] How are the inspectors appointed?—By the Corporation.

3460. And you approve of that mode of appointment?—I do.

3461. You spoke of your experience with regard to pleuro-pneumonia, and I think I understood you to say that it has existed to the extent of five per cent., and that it now exists to the extent of one per cent.?—Yes.

3462. Is that over the cattle which have passed through your hands?—And the observation of other people's stock.

3463. Have you any experience in attempting to cure pleuro-pneumonia?—I have some.

3464. What steps have you taken?—I have tried it in several instances, and we might cure it in one case out of 100, but the conclusion that we have arrived at is that the best remedy is the knife.

3465. What remedy have you adopted?—By bleeding, by setons, and the best remedy that we have got is starvation.

3466. We have had evidence before us, with regard to a large dairy at Glasgow, that inoculation is part of the system adopted; do you know anything of inoculation?—I think it is a perfect farce. I saw nothing of the matter, but I hold that it is perfectly absurd. It is not a skin disease, and my own experience leads me to believe that inoculation can only be available where there is skin disease, such as pock, or such a thing as that.

3467. That is your opinion, not being a professional man?—Yes.

3468. In your experience have you had cattle to deal with after very long voyages, Spanish or Portuguese cattle?—No; I have seen them frequently. None have come through my hands, but I have seen them.

3469. Are you aware that cattle, after a very long voyage, if they are fit for the butcher, are best killed immediately?—I should say, on the contrary.

3470. You would say that they should be kept?—Yes, to let the fever subside; hence the cause that that gentleman was asking about, why meat would be unfit for human food. It has been the animal killed with fever, and overdriven. Suppose an animal was worth three guineas, as a beast with the lung disease (I am taking extreme cases to make myself clearly understood), that animal, worth only three guineas, that had only a small portion of flesh upon it, might be fit for human food, and 24 hours afterwards would be; I have no doubt on the matter, but if you get the very best animal that can come into the London market, worth 40 guineas, and excite that animal to fever, that meat could not be saved within 24 hours.

3471. I ask you whether you find, as a rule, that cattle sent long distances suffer from want of water?—I never knew an instance yet of suffering from want of water. It is very desirable that they should get water, but to have them unloaded from the trucks is a thing that I should certainly object to.

3472. Sir *William Miles.*] I understand you object to anything which would prevent the free importation of cattle of any description?—Decidedly.

3473. And you prefer an action to the simple remedy of a fine, before a justice of the peace?—I would.

3474. Is it not very likely that the rich man would be able to bring an action where the poor man would not?—No, I think not; I do not see on what grounds.

3475. Which is the most expensive?—How do you mean expensive?

3476. Going to an action at law, or going under an Act of Parliament to take the decision of the magistrate?—Of course the decision of the magistrate would be the least expensive; but the party suffering would be obliged to pay the expense if they went for an action at law.

3477. Then you hold actions to be much better than summary proceedings before a justice in this case?—Decidedly.

3478. Your conception is, that though the meat consumer should have a stringent Act of Parliament to defend him, yet the meat purchaser, in the way of cattle, should have nothing at all to protect him?—We have all that we require to protect us.

3479. In what way?—By bringing an action against the parties who violate the law.

Mr. *J. Kilbee.*

21 June 1864.

3480. Do you know anything about the trade in cattle from Ireland to other ports of England, except to Liverpool?—I do not.

3481. You have spoken a great deal of the injury done to cattle in trucks, and the injury done in the steamvessels; what do you think would be the loss, comparing the one with the other, to the person who sends cattle across the water, taking all the ports?— Of course I take all the ports going by sea in any way: I have never seen serious damage done by steamboat, and I have by rail.

3482. Have you ever heard of a great number of animals, either from Cork or Dublin to Bristol, and so on, being lost by stress of weather?—Of course I have.

3483. Then, taking the quantity that are so lost, and taking the accidents which you have by railway, which do you conceive would be the most difficult to meet?—I think it is more difficult to meet the damage by railway, because you have insurance by sea, you can ensure safe delivery.

3484. Are the animals, generally speaking, insured that come across the sea from Ireland?—Some people insure them, and some do not; I would not insure on any ground.

3485. The majority, I suppose, send them without insurance?—Ninety-nine out of a hundred, and probably nine hundred and ninety-nine out of a thousand.

3486. Relative to the case of pleuro-pneumonia which you have referred to, do you not conceive, from the paper of the professor which you have put in, that the meat which you so sent to be analysed was meat in the first stage of pleuro-pneumonia, and not the last stage?—I do not know that it was in the first, second, or third stage; I think it was even further advanced. My experience leads me to believe, and I have no doubt in the world, that an animal might be eight or ten days ill before an ordinary observer might detect it. I do not think it was in the first stage.

3487. Then, why put in the opinion of the professor, because that is in the first stage?—No (pardon me), it was not; it was not stated to him whether it was the first, second, or third stage. Allow me to explain: when I heard of such a Bill as this being brought before the House, I was determined to meet it on scientific as well as practical experience, and I had to seek out an animal that was diseased in order to get the analysis of a professional man of eminence to show whether it was or was not fit for human food. Now this animal, I am prepared to prove, was 10 days bad with the disease from the time it was discovered, and I am perfectly satisfied that it might have been 10 days more before it was discovered.

3488. How long do you think incubation takes place in pleuro-pneumonia?—I cannot exactly say; but, from my experience, it will take six weeks.

3489. Do you know, from your own knowledge, that this animal was in such a state of pleuro-pneumonia that if it had been in the London market it would at once have been seized?—I do not know what they do in the London market, but with our market they cannot do so; the Government had a medical inspection some years ago, with Dr. Bickerstate and three or four eminent men, in Liverpool, and they pronounced the meat fit for human food.

3490. I wish you to tell us all you know about the part of the animal that was sent to be inspected by a doctor of chemistry; do you know that it was in such a state of disease as to be what we may call in the last stage of the disease?—I do not know what you might call the last stage of the disease, because the last stage is death; it might have been probably four or five days, and it might have got through altogether. I have known instances where they have been put by into a yard, or into a field, and left for the purpose of dying or recovering, as the case may be, and I have known them to recover from it and get fat; and when they have been fat, and killed afterwards, their lung was like a piece of brown paper, perfectly collapsed, and merely a flimsy thing like an empty honeycomb.

3491. Notwithstanding the opinion which you now put in, and notwithstanding what you have told us, your own opinion is that animals who are very long gone with pleuro-pneumonia are fit for human food?—Yes.

3492. Mr. *Cox.*] I want to know a little more about the inspection of meat at Liverpool; you told us that meat was constantly condemned there?—Wherever diseased meat appeared, or meat that was not considered fit for human food; likewise fish and vegetables.

3493. I want to know more about that; the inspector is appointed by the Corporation of Liverpool?—Yes.

3494. If the inspector condemns the meat, what is the course he takes?—A jury is empannelled to try whether it is fit for eating, or not.

3495. You said it was generally done; can you give us any information at all as to the relative proportion of meat condemned to the proportion of meat sold in the market?—No, I could not. It must be a very small proportion. If the Committee wish for evidence on that point the inspector can be called.

3496. You do not know it?—I do not know it.

3497. You have told us that you thought scab should not be included in the Bill, that foot-and-mouth disease should not be included in the Bill, and that it would be useless to include pleuro-pneumonia; do you think the Bill useless altogether?—I think so.

3498. There is no necessity for it?—No, nor for any legislation.

3499. Either for the purchaser of cattle or the purchaser of meat?—Either for the one or the other. I am a purchaser of cattle, and I speak from my own experience amongst butchers.

3500. You have told us that you would prefer a law which gave the remedy you described to us; the gentleman next to me asked whether that would not be giving to the rich man an advantage over the poor man; I suppose the poor man does not buy so largely as the rich man?—No; but whether he did or did not, I suppose he would have the same remedy.

3501. The poor man would seek his remedy in the county court?—No; it would be before the judge at the quarter sessions.

3502. The evidence which he would have to produce to recover damages for himself would be the same as it would be to obtain a conviction under this Act, would it not?—Decidedly.

3503. In obtaining a conviction under this Act, he would bear the whole expense of producing that evidence?—Of course.

3504. In obtaining a verdict the person against whom he obtains the verdict would have to pay?—Yes.

3505. Sir

3505. Sir *Thomas Burke.*] You attend Ballinasloe and all the large fairs in Ireland?—Yes.

3506. I want to ask you a question, in consequence of a question put to you by Sir William Miles: suppose you bought a quantity of beasts, and you found that one had the distemper, there is no power in the law for you to go before a magistrate and condemn that beast?—No, there is no power, nor can you tell it until the animal is killed.

3507. Mr. *Joseph Ewart.*] Do you import all your cattle to Liverpool in the steamers?—Yes.

3508. Do you never send any by Holyhead?—Occasionally; but they come by steamer there too.

3509. But it is a short passage, about half the distance by sea to Holyhead?—Yes.

3510. Is the charge the same?—The charge is the same.

3511. If you think that they suffer so much by railway compared with steamers, why do you send them by Holyhead?—I never send a beast by Holyhead of my own accord; it is only for my clients.

3512. If you are importing beasts from Ireland to Liverpool, according to the view which I take of it, you would always import them by steamer direct?—I would not send them by Holyhead; I would not take the short passage.

3513. Is it not a fact that a great many cattle do go now by Holyhead to Manchester and Liverpool?—No; the reverse is the fact. There were a large number went when the line was first opened, but now they have dropped off, and they are nearly all going by Liverpool, with some few exceptions.

3514. Are you quite sure of that?—I am quite sure. In the first instance I have got 100 a week by Holyhead; I do not get 100 in a month now.

3515. That is as regards yourself; but are not the cattle imported from Ireland *viâ* Holyhead rather increasing than otherwise?—They are decreasing.

3516. Is that owing to the injury which you suppose they receive by the railway?—From the loading and unloading, and the stoppage of the trucks on the line.

3517. If the trucks were screwed up, you do not think that there would be much injury?—I am perfectly satisfied that, though there were all the appliances which are given to passenger trains, they would receive injury. They cannot accommodate themselves to the oscillation, as a human being would.

3518. I think you said that if you were sending cattle 30 or 40 miles, you would rather send them by the road?—I would, and such is my practice.

3519. When you send cattle from Liverpool to Manchester, do you send them by the road?—Not always, but there we have only a short time; if we can get time, we walk them.

3520. Do you ever send them by the road?—Frequently.

3521. In consequence of the injury which you think they suffer by going by rail, even for 30 miles?—Yes.

3522. But they do not stop in going from Liverpool to Manchester?—Frequently they have to stop to let the passenger trains by.

3523. That is rather rare, is it not?—It is of frequent occurrence.

3524. Mr. *Hunt.*] Is your trade in store or fat stock, or both?—Altogether in fat stock in the way of selling, but in the way of purchasing, altogether stores; I purchase nothing but stores and sell nothing but fat stock.

Mr. *J. Kilbee.* 21 June 1864.

3525. Do you graze them?—Yes.

3526. In reference to the risk which you say the cattle run in travelling trucks, is it that the flesh gets bruised?—Yes.

3527. With regard to store stock, you do not apprehend that there is any permanent injury to them?—Yes. Probably, in my experience, I have lost altogether half-a-dozen beasts from it. They have died from the injury; they got their hipbones broken.

3528. As a general rule, it is the bruising of the flesh?—Not so much the bruising of the flesh as their trying to hold on by their feet; it is the straining of the feet which causes fever in the feet; it takes a very much longer period to recover than from the walking.

3529. Suppose they were going to be slaughtered immediately, would it injure them for that purpose?—Anything that creates fever is objectionable to slaughtering.

3530. Their blood would become in a heated state?—Yes; and any beast when in a heated state cannot be saved, you cannot corn it.

3531. It will not take the salt?—No.

3532. With regard to the animal you have mentioned, what part of the animal, or the flesh rather, did you send to Professor Muspratt?—The hindquarters.

3533. In a case of pleuro-pneumonia, it is the forequarter that would be the first affected, is it not; it is the forequarter that the lungs lie next?—The whole system is affected alike.

3534. It is the forequarter that would be the first affected by the disease?—I think not; I think the whole system is affected.

3535. There is an exudation from the lung when the disease gets into a forward state?—Yes.

3536. Would not that exudation affect the part nearest to the lung long before it would the part farthest from it?—I think not; it goes through the whole system at once.

3537. Did you send the lung, or any part near the lung to Professor Muspratt?—Nothing but the hindquarter.

3538. Did you see the animal slaughtered yourself?—Yes.

3539. *Chairman.*] In your opinion, I understand, the Bill is entirely useless?—I think so.

3540. Are you aware that the greater portion of the Bill is simply a re-enactment of the present law with respect to small-pox in sheep, and glanders, and as to the power of the Queen in Council to make provision against the spread of certain infectious disorders?—I am aware that such is the intention.

3541. Are you aware that the Bill includes the present law with respect to small-pox in sheep, and glanders, and the powers of the Queen in Council?—Yes.

3542. Do you consider that that is useless?—No; I have no experience with regard to small-pox or glanders at all, but I think, being a disease affecting us so differently, it should be treated differently.

3543. You have said, I think, that the second part of the Bill, viz, the powers given to the Queen in Council, would be perfectly absurd, and would lead to no end of litigation?—Yes.

Mr. *J. Kilbee.*

21 June 1864.

3544. Are you aware that those powers have been exercised by the Queen in Council under the present law?—No, I am not.

3545. You are not aware that those powers have been exercised in respect to the small-pox in sheep?—I know nothing of the small-pox in sheep; I have no experience of that; I never had an instance of it.

3546. Your observation applied entirely to the extension of those powers to pleuro-pneumonia and scab?—Yes.

3547. With respect to pleuro-pneumonia and scab, you said, I think, that the first part would be impossible to carry out; do you think that a person who knowingly sends a beast affected with pleuro-pneumonia or scab into a store market should be subject to a penalty or not?—I think not.

3548. You think it is unnecessary to put any penalty?—I do not think it is necessary to make any provision for it.

3549. I believe you said that the remedy is in consequence of the result of certain actions which have taken place in Ireland?—Yes.

3550. Will you be kind enough to tell the Committee whether there was, or was not, a warranty in the case of the sale of those cattle?—In Malcolmson's case there was, but in Byrnes' case there was not.

3551. That was a case of sale from one person to another?—Yes.

3552. Do you know that, in a case tried in the Court of Queen's Bench, Baron Bramwell laid down the law that, unless the seller has concealed the disease, the buyer has no right to complain unless he takes a warranty?—I am not aware that such was the decision.

3553. Would the case to which you have referred, in which there was no warranty in any way, give protection or afford a remedy to a person who had suffered by other persons' cattle affected with pleuro-pneumonia, or other persons' sheep affected with scab being near his cattle or sheep in the market, and thereby his contracting the disease?—With regard to scab, we never give it a thought, it is so easily cured; it will be generated by driving. I may purchase a lot of sheep in a fair, and if I drive them 30 miles, they may have the scab within a week afterwards from the driving.

3554. Even supposing there was a remedy for a person who bought sheep or cattle affected in that way not knowing it, even supposing there was a remedy at present by the law for the loss he would sustain, would that fact afford a remedy to a person whose sheep or cattle caught the disease by being near the sheep or cattle of other parties?—I think so.

3555. How?—By civil action against them, the same as Byrnes' case.

3556. What was his case?—He sold an animal in a fair to a dealer, the dealer resold it to a grazier; the grazier claimed from the dealer and recovered, the dealer recovered from the original seller, and there was no warranty at all.

3557. You think that, by the same common law, there would be a remedy if your cattle had caught a disease from being in contact with other persons' cattle?—Decidedly not.

3558. Therefore there would be no remedy in such a case as that?—In my experience I have had no loss by my cattle taking the disease from any other person's cattle, nor have I known an instance of it.

3559. There would be no remedy in such a case as that?—I should say not, and I do not know how you are to prove such a case. I think the proof would be most difficult to establish, because I hold that a beast with the lung disease may stand alongside another without lung disease, and the infection or contagion will not be established; it is only from the breathing that it can be established.

3560. You think it would be so difficult to prove that the disease was communicated from one beast to another that such a provision would be unnecessary?—I think so.

3561. Would you say the same thing with respect to scabby sheep?—I think so. I do not see that there is any necessity at all for a provision with regard to scabby sheep. It is a thing so easily cured in the first instance, and it is a thing so easily created. It is created in the cleanest flocks by driving.

3562. With respect to the penalty as regards scab, I think your objection to it was that scab will break out unknown to the owner?—Decidedly.

3563. If the penalty is only for persons knowingly sending beasts with scab to a store market, that objection would not remain?—Of course, if you want to establish any portion of it, or to make a law for any portion of it; but the injury to the purchaser is so very small that I would rather put up with the injury than go and meddle with any law or any protection. I think the protection would be more a hampering the trade than otherwise.

3564. With respect to the fourth part of the Bill, the inspection, you are aware that it is entirely voluntary, and that there is nothing compulsory in any part of it?—I thought the inspection should be voluntary.

3565. If you look at the fourth part, Clause 15, you will see the words "Any local authority may make," and may do this, that, and the other; you will perceive that, if passed into law, it does not render obligatory any inspection of the nature of which you complained?—Supposing that local authority has any difference of opinion with me, or any dislike, and he goes and attempts to carry out this Act, what am I to do?

3566. You would not like to see the power put into the hands of the local authority to make regulations which might interfere with trade?—Decidedly not.

3567. With regard to inspection, you say that you approve of the inspection of meat at Liverpool?—Decidedly.

3568. Would you approve of a power to inspect a fat-cattle market, and to kill beasts that would appear to the inspector to be unfit for human food in the fat-cattle market?—Most certainly not.

3569. You would object to it?—Yes, I would not approve of it.

3570. Why would you object to that?—Because every beast that comes into the market does not look the same as it would on the pasture; it might be fatigued. You would have no end of slaughtering; you would have one-half of the market slaughtered.

3571. Do you mean that one-half of the market would appear to a competent inspector to be unfit for human food?—To be diseased.

3572. I said unfit for human food?—You cannot tell that till the animal is dead; it is impossible; no amount of science can discover that.

3573. Therefore you would object to any inspection?—Any inspection of live stock; when the animal is dead there are sufficient clauses to prohibit

prohibit it going into the market, in fact under very serious penalties.

3574. You would leave the protection of the public to the inspection of the carcass and not the animal?—Yes, which is the only time to know whether it is fit for human food or not.

3575. Do you buy any foreign cattle?—No, never.

3576. Do you see foreign cattle imported into Liverpool?—Frequently.

3577. Are you aware that the foreign cattle are subject to inspection?—With regard to small-pox, is it?

3578. Foreign cattle are liable to inspection by custom-house officers previous to landing?—Yes; they perform quarantine or are prevented from landing.

3579. Are there many foreign cattle imported into Liverpool?—Four hundred and ninety-six this week; sometimes 200, and sometimes 800 a week.

3580. Do you think that the importation of cattle from abroad should be entirely free and unrestricted by inspection or quarantine of any kind?—Unless there is some foreign contagious disease, such as pock in sheep, which we know nothing of, I have seen no disease with foreign cattle yet that I should object to.

3581. You would not object to beasts with pleuro-pneumonia coming in?—Decidedly not.

3582. Mr. *Beecroft.*] In reply to a question put to you by the Honourable Member for Liverpool, just now, I understood you to say that the traffic in cattle between Dublin and Holyhead was decreasing?—Yes.

3583. What reasons have you for making that statement?—From the fact of its having been so in the first instance; and the cause is that they suffer more in the journey by rail than by sea.

3584. Are you aware that the London and North Western Railway Company have in the last 12 months put on additional steamers between Holyhead and Dublin, for the purpose of meeting the increased traffic in cattle?—I am.

3585. Would they do so, knowing that the traffic was decreasing?—They have done so, to their cost.

3586. What means have you of knowing that?—From my own knowledge, they have not the cattle; they could not get the cattle unknown to me.

3587. Have you seen the returns?—No, I have seen the stock going to them; and when they have not got a sufficient cargo they would let it go by the Dublin Company, saying, "It is not worth our while sending these few."

3588. Then you have not seen the returns?—No; but I have seen the vessels going without cattle.

3589. Mr. *Caird.*] You say that you are aware, within your own knowledge, that the disease of scab arises in perfectly clean sheep, in the progress of a journey from one point to another?—Yes.

3590. Without contact with other sheep?—Yes.

3591. So that for that reason you conceive that a provision of this kind is unnecessary?—That is one of the reasons, and another reason would be that it is so very easily cured; any ordinary shepherd will cure it in a short space of time.

3592. For that reason you consider that any precautionary legal measure would be inapplicable?—I do not consider it necessary at all; it is absurd; it would not relieve me one iota.

3593. Do you consider that the legal provisions which might be necessary to protect us against small-pox in sheep, and glanders in horses, are totally inapplicable to pleuro-pneumonia and scab in sheep?—Decidedly.

3594. And you draw that clear distinction between those two classes of diseases?—Decidedly.

3595. Mr. *Hunt.*] Supposing you had a flock of sheep in which scab had broken out, and it was easily detectable by any person who knew anything about sheep, not being a scientific person, do you think you ought to be allowed to send them into the market to stand by the side of your neighbour's sheep?—Decidedly.

3596. Sir *William Miles.*] Is it a contagious disease?—It is.

3597. Highly?—Highly.

3598. And two or three sheep will infect a whole flock?—Yes, or one either.

3599. Would such a flock be deteriorated in wool, and if it lasts long would it be deteriorated in meat?—The meat would not be affected in the slightest degree.

3600. Would it not decrease in weight; when an animal has been long affected with scab, and lost very likely most of its wool, if that disease goes on would it affect the condition of the sheep?—Decidedly, but it would not affect the meat at the same time.

3601. Would it not be to the loss of the man whose flock was affected?—Decidedly.

3602. Would it not be to the "great" loss?—Decidedly.

3603. Would not a man who sold that, knowing it was scabby, be subject to the loss?—Most certainly not.

3604. Mr. *Cox.*] Would he not try to cure it?—Yes.

3605. Or destroy it at once?—Yes. If I bought a flock of sheep with the disease on it, it would not affect me 6 *d.* a head.

3606. How long would you take to cure it?—I would not have a single instance of it in a month.

3607. Lord *Naas.*] Supposing it was advisable, as the Honourable Member suggests, to prevent sheep affected with scab coming into any public market, would it be possible to do it?—It is perfectly ridiculous; the idea is perfectly absurd; you would not have a flock of sheep in Ballinasloe or in Falkirk.

3608. So that, even if it was agreed on all sides that it was advisable and useful to do it, it would be perfectly impossible to carry it out?—Yes.

3609. *Chairman.*] Do you mean to assert that all the sheep in Falkirk and Ballinasloe Fairs have got scab?—No, but I think that the greater portion of them have.

3610. Mr. *Cox.*] To some extent?—To some extent.

3611. Mr. *Caird.*] You mean that there is a sort of heat in their skin which may develope itself into that complaint?—Yes; and if they travel 50 miles they are likely to take it.

3612. Sir *Thomas Burke.*] You mean that a person buying at Ballinasloe or Falkirk, and driving sheep two or three hundred miles home, would find that nine-tenths of those sheep would show what we call scab?—Yes, although perfectly clear previously.

3613. Sir *William Miles.*] Is that an eruption which

Mr. *J. Kilbee.*

21 June 1864.

which takes place owing to overcrowding; and is that or is it not the scab?—Sheep being put into trucks, and not being driven at all, are more susceptible.

3614. I am not talking about trucks?—The eruption may take place without scab, but the scab is generally the result of overdriving in a journey of 30 or 50 miles.

3615. How do you prove that?—From my own experience.

3616. What is that experience?—The experience that I have frequently bought a flock of sheep 30 miles from home, perfectly free from scab, and when they came home they had got it.

3617. May not some of those sheep have had the disease of scab in an incipient state?—Not at the time I bought them.

3618. How do you know?—I have frequently examined them, to see if their wool was clear.

3619. If an animal is only in the incipient stage, could you perceive it?—I think so.

3620. How would it show itself in an incipient stage?—It is white under the wool.

3621. That is when it has broken out into scab?—No, before it has broken out.

3622. Will you describe it?—While in the first stage, it is white; when it becomes scab, it is ulcerated or sore on the top, with a crust on it.

3623. You think that there could be a sufficiently minute examination. Would you so minutely examine the animal as to see whether it has had the first stage or not?—No; it is perfectly impossible that we could try every portion of a sheep to see whether they had it or not.

3624. So that those animals which you bought, and which you told the Committee were perfectly sound, and that after driving the scab broke out on them, might have had the incipient disease when you purchased them?—They certainly might, or might not.

3625. Mr. *Hunt.*] Do you know what scab is?—I do.

3626. What is the disease?—It is an eruption in the skin.

3627. What from?—I do not know what it arises from.

3628. Do you know that it is a parasitic insect?—I have heard it so stated.

3629. Do you know enough about it to know whether it is or is not?—I never saw an insect about it, as far as I am concerned. I know that an eruption takes place on the skin, which takes the wool off and hinders the animal from thriving.

3630. Have you not heard from scientific witnesses that it is a parasitic insect?—I have heard so.

3631. Do you believe it is?—Of course we must take it as their opinion.

3632. Then you accept it as the opinion of scientific persons that it is so?—Decidedly.

3633. Assuming that it is a parasitic insect, how can the sheep acquire the disease by being driven 30 miles, and not coming in contact with any other animal, or anything which another animal having the disease has touched?—It is one of those things that I cannot explain why it is so, but it is the fact.

3634. Mr. *Caird.*] Is it not the fact that the parasite very often is the consequence of disease?—I should say so, but at the same time, a flock of sheep being bought free from scab, if you drive them 20 or 30 miles, the disease is most likely to break out in them in a month.

3635. Mr. *Hunt.*] Coming in contact with the gates and fences or roads that scabby sheep have trodden on?—Whether or not. I think, as a rule, taking the stock of Ireland, which I speak more of, there is very little scab.

3636. *Chairman.*] I thought you said just now that it would prevent every flock of sheep from coming into Ballinasloe Fair?—Yes; by the time they would have them all inspected, they might get one animal in a thousand, or one in 2,000. Supposing that you were sending 2,000 sheep into Ballinasloe Fair, and one animal of those was diseased, it would prevent the whole flock coming in.

3637. Not under this Bill?—That is what I understood.

3638. Will you be kind enough to point out the clause in the Bill which prevents the whole flock being sent in if one sheep has got the scab?—Most certainly; because the rest would be all infected from that animal. There is no doubt of the disease being highly contagious.

3639. And you think that it would prevent the whole of the flock from being sent in?—Decidedly.

3640. You think that ought not to be so?—Decidedly.

3641. Lord *Naas.*] I suppose you think it of very little importance whether this disease is parasitic or not, provided that you can detect it when you see it, and cure it when you find it out?—Exactly.

Mr. Peter Aungier, called in; and Examined.

Mr. *P. Aungier.*

3642. Lord *Naas.*] Will you state to the Committee what your profession is?—I am a cattle salesman in Dublin, and I am also a grazier.

3643. How long have you been a salesman in Dublin?—For 30 years.

3644. How long have you been employed in grazing cattle?—Since I was 18 years of age.

3645. How much land do you hold in your hands?—At present, 1,750 Irish acres.

3646. Is the land which you hold generally first-class grazing land?—Yes.

3647. Has your attention been very much directed to the consideration of the disease called pleuro-pneumonia?—Very much.

3648. Since its first appearance?—Since its first appearance, I have had a great deal of experience in it.

3649. I believe, when the disease first appeared it was very rife and very formidable?—It was; we were much alarmed about it, not understanding anything at all about it.

3650. Had you many cases in your own herds?—For the first two or three years after it made its appearance (which, I think, was in 1838 or 1839) I had but very few cases; in fact, I had no case for the first two years; after that it attacked me, and I had about 22 cases per cent. for two years in succession.

3651. Mr. *Holland.*] What years were those?—As well as I can recollect, 1841 and 1842.

3652. Lord *Naas.*] Could you, in any of those numerous cases, in any way satisfactorily trace the origin of the disease?—Not in the least.

3653. You had it, I presume, amongst cattle that

that you bought?—I had it amongst cattle that I bought, and I had it amongst cattle that were bred by myself and reared on my own farm, and which had no connexion with and did not touch any other cattle.

3654. So that you found cases of pleuro-pneumonia amongst cattle that could not have received it by infection?—I found that it baffled all conjecture. I had formerly an opinion that cattle that had been wintered in the house, or in sheds, became more delicate, and that they were more subject to it than cattle which had been wintered out; having formed that opinion, I went to Ballinasloe, and bought a lot of 60 heifers of Mr. ——, County Clare, who never had a house for his cattle, and I found that it attacked that lot, and that they suffered more from it than any other cattle which I bought; clearly showing, in my opinion, that the thing was atmospheric, and that we could not trace it to any cause.

3655. When the disease first broke out, did you attempt to cure the animals?—I did.

3656. What was the result?—I consulted with George Watts, who was at that time the most celebrated veterinary surgeon in Dublin, and he told me that, in his opinion, the disease was inflammation of the lungs, the same as what is called distemper in horses. He said he would feel obliged to me if I would purchase one of those cattle that were first attacked with it, and send it up to him, and he would try his best to cure it. I sent him one of mine without purchase, and he treated it as he would have treated a horse. He blistered it, and bled it, and turned it out into his paddock, and left it there without giving it any food but what it chose to take itself, and without any medicine. It then recovered, but was so deteriorated by the blistering and bleeding, and the treatment, that it was not worth anything. His bill for curing the animal would be a vast deal more than it was worth, and I said, "Now, Mr. Watts, if you wish to have a present of the animal, it is yours." He did so. He kept it for two years, took it up to the county Wicklow and fattened it, and I afterwards sold it for 15 *l.* The thing would not be worth my while to attempt to cure. The cost would be so great, and the length of time I should have to keep it would be longer. From that day to the present, I have never attempted to cure them; but when they are attacked we send them to the market to be sold.

3657. Is that the general practice?—I think it is.

3658. And no matter in what condition the animal is, whether it is young or old, or fat or lean, you generally cut its throat?—Yes.

3659. In the case of fat beasts, beasts in a very fair condition, the loss is small?—Very small.

3660. In the case of store-beasts, it is very considerable, I suppose?—Yes.

3661. Suppose, in the case of fat beasts, it was the practice to keep them for any length of time; would not the loss then be very serious?—Very serious.

3662. And it is not practised?—It is not practised.

3663. Do you find that your servants are very quick in detecting the early stages of this disease?—They are.

3664. Do you think that they, from their practice and habit, can detect the existence of pleuro-pneumonia before any professional person could do so?—I think that they can.

3665. How?—I find when they pass it over that I can detect it very easily myself. If I happen to ride through my fields, I sometimes select a beast that they had not taken the trouble to look at before. It is very easy to an experienced eye, and, unfortunately, we have had a great deal of experience; and it is their duty to know that a beast which separates himself from the other animals is not well. Sometimes I give a dose of salts, or a dose of oil, or something of that sort, and let it have a day or two's chance, because they are sometimes sick from other causes; sometimes from their bowels getting out of order, or from murrain; and by giving a dose of salts you do no injury to the meat, you only keep it a day or two longer; and if we find that it does not recover, we then sell it.

3666. Do you think that any steps which the Legislature could take would prevent the spread of pleuro-pneumonia among the cattle of the country?—I do not think it would; I do not think you can touch the subject that is under consideration by any legislation that will not do mischief.

3667. This question has been considerably discussed and considered by all parties?—It has.

3668. It is a very interesting one to persons engaged in your profession?—Yes, a very interesting one.

3669. Do you think that if it was the opinion of the great and well-educated class engaged in this trade that legislative provision could assist them, they would not have proposed it long ago?—I am quite sure they would, but I cannot conceive how you can legislate so as to stop a disease. You might as well legislate against fever, or against ague, or any other disease. I cannot conceive how it can be done.

3670. Have you considered the provisions of this Bill?—I have.

3671. Speaking generally, do you think there is anything in this Bill that would materially prevent the spread of pleuro-pneumonia in Ireland?—I do not think there is anything in it that would prevent the spread of pleuro-pneumonia.

3672. Do you think that the provisions of the Bill would, if carried into effect, materially interfere with the free course of trade?—I think so.

3673. Will you state generally in what way you think it would interfere?—I think if the law gave power to an inspector to come in on my land, and go over my cattle, and point out what he might say was a diseased beast——

3674. *Chairman.*] But there is nothing of that in the Bill?—I understood there was.

3675. Lord *Naas.*] With regard to the powers given in the Bill, a permissive power is given in the Bill to local authorities in certain cases, if they see fit, to institute an inspection of cattle driven to markets and fairs; what do you think the effect of that would be?—I think it would be very harassing and very annoying to the person (for instance, if I bought a lot of cattle at Ballinasloe, or any other fair, and was driving them home, and they showed any disease) that they should be stopped or taken before a magistrate.

3676. Mr. *Cox.*] That is, driving from a fair?—Yes.

3677. Lord *Naas.*] The inspection proposed in the Bill is of this nature: it is proposed to give power to an officer, to be appointed by a local authority, to seize and dispose of any animal exposed in a market or fair which he might consider tainted with any infectious or contagious disease;

Mr. *P. Arnyier.*

21 June 1864.

do you think it possible to carry that into effect?—I do not think it would; I think it would be giving a very unwise power to an inspector; he might conceive anything he pleased; he might conceive that a beast was diseased that was not so at all.

3678. We will take the case of an inspector who picks out an animal that has been driven (perhaps on a hot day) a considerable distance in the morning; the animal may present a hot fevered appearance. Do you think it would be possible for a man, however skilful, on the moment to say whether an animal in that state was not affected with pleuro-pneumonia?—I do not think it would.

3679. You think that no scientific skill, and no practical skill, could enable him to determine that question?—I think not.

3680. Therefore great injustice might be done?—Therefore great injustice might be done.

3681. In that case, I presume, the animal would have to be detained till the next day?—I suppose so.

3682. And the inspection, for practical purposes, could not take place until the next day; is not that the case?—Yes.

3683. Would that entail a serious loss on the seller?—I think it would.

3684. Would not the fact of an animal being selected under these circumstances from a large lot of cattle probably entail a prevention of the sale of the whole lot?—I am quite sure it would.

3685. So that the seller would be subject not only to the loss of the sale of the beast itself, but he would also have discredit thrown on the whole of his stock exposed for sale?—Certainly; not only on the whole lot exposed or brought into the fair or market, but upon his entire stock. The rumour would go abroad; nobody would go to look at his stock, and nobody would buy them.

3686. And that might, and would very likely, arise under the inspection of an animal that was in a state at the time in which no one could determine whether it was affected with this disease or not?—That is the case.

3687. There is a provision also in the first part of the Bill, to which the Honourable Chairman directed the attention of the last witness, which provides that if a man drives a diseased beast along a road, and leaves it in a field insufficiently fenced, or expose a diseased beast for sale in any market or fair, if any person should suspect the existence of disease in that animal, he may bring him before a magistrate; and the penalty may be levied on the owner, not exceeding 20*l.*, provided he knows of the disease?—Yes.

3688. Do you think it would be possible to carry that out; that is assuming it was desirable that the provision should be passed into law?—It would be so penal, and it would give such a power, that I think people would not submit to it.

3689. Supposing a beast was, under these circumstances, brought before a magistrate, do you think the magistrate, under ordinary circumstances, would have the power of determining whether the beast was diseased or not?—I do not think he would.

3690. What steps could he take to determine the case?—Upon my word, I cannot conceive.

3691. You cannot conceive any steps which a magistrate could take, under ordinary circumstances, in a country town, that would satisfactorily determine the case in a manner in which it could be justified?—I cannot conceive how he could.

3692. With regard to the sixth clause, which makes a man liable to the purchaser, in the value of the beast, provided he knows that that beast is diseased, do you think that is a necessary provision?—I do not think it is, inasmuch as we have a remedy at present; the law, as it is, gives us the remedy, as stated in the case of Malcomson *v.* M'Donogh.

3693. You, as a large buyer, are of course very much interested in this matter?—Very much.

3694. And it occasions a serious loss to you if you purchase unhealthy cattle?—Yes.

3695. Do you think the clause to which I have alluded would afford you any real protection?—I really do not think it would; a beast may be perfectly well the day it is sold to me, and it may get that disease to-morrow. I would rather submit to a reasonable loss upon selling these animals and having them killed than looking for redress under any Act of Parliament.

3696. Do you not think that the amount of loss, in that case, might be a very difficult question to decide?—A very difficult question.

3697. Which would hardly be a question fit to be decided by any authority inferior to a court of law?—I think so.

3698. You do not think that such a decision could be left to any court except a court of law, either an assistant barrister's court or a superior court?—I think it would be very dangerous to do so.

3699. And justice could not be done in any other way?—No.

3700. Therefore if such a power was proposed to be given, it could not be given with safety to any court except an assistant barrister's court or a superior court of law?—I think so.

3701. You believe that the present law, as it stands, does give to these courts the power of dealing with these cases?—I believe it does.

3702. Do you recollect in Malcolmson's case whether there was a warranty given?—As well as I recollect, not a written warranty; but in making the sale, Mr. Macdonald stated to his men that his cattle were free from disease, and that it had not been on his land for a long time.

3703. *Chairman.*] That, I believe, would legally be a warranty, whether written or not?—I do not know; I believe not.

3704. Lord *Naas.*] There was a verbal warranty?—Yes.

3705. Are you cognisant of any similar cases?—I am not; I think there is generally a sort of good feeling amongst the buyers and sellers, that if there is any ground or cause for apprehension that there is any disease, the sellers generally meet the buyers in that way and make a more satisfactory arrangement than could be made by a court of law. To keep ourselves out of law is what I think we should try to do.

3706. *Chairman.*] At any rate you would be perfectly able to guard yourselves by getting a warranty, if necessary to guard yourself against loss?—I think we would; I never asked for a warranty, and I have been buying very largely for 40 years.

3707. Lord *Naas.*] It is not the practice of the country?—No.

3708. I suppose, in the pursuit of your business as a buyer of store-cattle for your grass farms, you

you come in contact with large classes of persons engaged in the same occupation?—Yes.

3709. Have you heard the provisions of this Bill much discussed amongst those classes?—I have heard the Bill condemned by everyone connected with the trade that I have spoken to upon either side, buyer and seller, as a matter likely to open the door to litigation, and a thing that would hamper and annoy everyone connected with the trade.

3710. Then the Committee are to understand that those classes with which you are so well acquainted, and whose interests this Bill is supposed to protect, are averse to any interference whatever?—The best test I can give you of that is, when this Bill was first proposed, I called a meeting at the commercial buildings in Dublin, of the noblemen and gentlemen interested, and amongst the rest, yourself. You were not in Dublin, and did not attend the meeting, but Lord Cloncurry attended it, and a vast number of men of first rank connected with farming and grazing, and they all condemned it as being a most wanton interference with our business, and a thing likely to do a vast mischief, and to hamper the entire trade.

3711. Was that a meeting called by public notice?—It was not; that meeting was called by myself. I sent out circulars to every man connected with the landed interest in Ireland, to every board of guardians in Ireland, to every petty sessions court in Ireland, and the result was a very large attendance, and a great number of letters apologising for not attending, and a very considerable subscription was entered into.

3712. Do you think that all the various classes interested in the buying, selling, and rearing of cattle were fairly represented at that meeting?—I think so.

3713. Was any proposal made by anyone at that meeting in favour of the Bill?—Not a single one.

3714. Have you found anyone engaged in the trade who disagrees with you and the majority of the meeting on that subject?—Not one who understood it.

3715. At those meetings the buyers, the sellers, the graziers, the exporters, and the butchers, were all represented?—Yes.

3716. And attended?—Yes.

3717. And there was no class connected with the cattle trade in any way that was not represented?—Not a single one.

3718. Mr. *Caird.*] How many cattle do you pass through your hands in the course of the year as a grazier?—On the 1st of June this year I had on my farms 1,040 beasts.

3719. And sheep?—Seven hundred and fifty.

3720. Is the disease of pleuro-pneumonia the disease which you chiefly fear, and have had chiefly to experience as injurious to you?—The only disease that has been at all seriously injurious.

3721. Does it affect your stock as severely now as it did at its first commencement?—It does not.

3722. Is it as prevalent amongst your stock, or in the country now, as at the commencement?—Not by any means; amongst my own stock this year it has not amounted to more than one in 250.

3723. The first two years, I think you said, it was 22 per cent.?—Yes.

3724. Has there been a gradual decline up to the present time?—I was so alarmed by the serious attack it made upon me during those two years that I let my land, which is near Dublin, for grazing to dairymen the following year, and did not purchase stock, and strange to say, there was not a single case of pleuro-pneumonia on my land the following year.

3725. From that time to the present?—From that time to the present; I have stocked myself as usual, and it has been sometimes greater, and sometimes less; sometimes more frequent, and sometimes less frequent; this year it has been less with me than it ever was before since it commenced.

3726. Has it in its character been less severe than when it first commenced?—I do not give it much trial, we let them go at once.

3727. You never attempt to cure them?—No, and have not for years.

3728. You have not found it to be advantageous in any way?—No; one or two years a great number of mine recovered by merely putting them into a loose field and giving them no treatment whatever; whether that was pleuro-pneumonia or not I cannot tell you, but whatever it was they recovered from it; latterly we do not give them a chance.

3729. In your experiences do you think very much the experience of the graziers of Ireland in regard to the gradual decline of this disease?—Yes, I think it is.

3730. You are also a cattle salesman?—Yes.

3731. As a cattle salesman, you have great intercourse with the graziers of Ireland?—Yes.

3732. And you have the best opportunities of ascertaining the exact state of facts as applicable to cattle diseases in Ireland now?—Yes.

3733. Is your own experience as a grazier do you think, borne out by that of the majority of the graziers in Ireland in regard to the gradual decline of the disease?—I think it is.

3734. And the fact that at this moment it is less prevalent than it has been since its first outbreak?—It is less prevalent.

3735. With regard to your sheep stock, is there any disease amongst them which you have found to be very injurious?—In wet seasons our sheep are always subject to disease of the liver, but to nothing else.

3736. That you do not regard as an infectious disease?—No.

3737. Or a disease which can be guarded against by any legislation?—No.

3738. Except some that would alter the character of the seasons, and that would be impossible?—Yes.

3739. Have you had the scab in sheep?—Very frequently.

3740. Do you find it a disease which is very damaging to your stock?—By no means, if we attend to them; if a man has ordinary industry and attention, and has his stock dressed. We always dress our stock when they come home from the fair, and never have any trouble with them afterwards.

3741. As a grazier, you would not think it necessary to obtain the protection of a legal enactment to guard you against the consequences of purchasing scabby sheep?—I do not at all.

3742. Mr. *Miller.*] Is it your opinion that there is no disease with which cattle are afflicted that can be guarded against by legislation?—I think not.

3743. None whatever?—None whatever.

Mr. *P. Aungier.*

21 June 1864.

3744. Mr. *Thompson.*] Do you hold pleuro-pneumonia to be highly infectious?—I do not.

3745. Do you consider scab very infectious?—I suppose it is. I have not had much experience of it, except that once in my life I bought 432 sheep that were covered with scab from head to foot, and I never made so much money of anything. By attention, I had them all cured in a month.

3746. You do not mean on account of their being affected with scab?—On account of their having been sold very much under value, having come from some very idle and negligent person, who did not attend to them.

3747. Mr. *Beecroft.*] You bought them at a less price in consequence?—Yes, and I sold them well.

3748. Mr. *Hodgkinson.*] Your profit was the seller's loss?—Yes.

3749. Mr. *Thompson.*] The stock are degenerated in value when affected with scab?—They are.

3750. Do you consider it is right that in markets another man should have the right of placing stock affected with highly infectious disease close to yours, and so run a great risk of infecting your stock also, without being subject to a penalty for so doing?—I do not think that a man placing his lot of scabby sheep beside mine would communicate the scab, unless those sheep were allowed to remain together and to lodge together. If a man drives a lot of scabby sheep, and keeps them standing together, and another lot of sound sheep are standing there and not mixing, I do not see how they can get the disease.

3751. You do not think that their rubbing against the hurdles or fences would communicate it to the next lot?—I think that it is likely they might if they were allowed to remain for a week or any serious time; but sheep in fairs or markets are not so placed as that they are allowed to rub against each other.

3752. You are aware that a large quantity of diseased cattle and sheep do come to market?—I am aware of it.

3753. And that they do communicate a considerable amount of infection by mixing with other cattle when being driven or penned together?—I think that it is a very doubtful thing, if you are speaking of pleuro-pneumonia in cattle. You have mixed sheep and cattle together. If you are speaking of pleuro-pneumonia in cattle, I think that it is very doubtful. I never could arrive at any decided opinion whether it was contagious, or infectious, or not.

3754. Your opinion is to the contrary; of course you are aware that there is a great difference of opinion?—Yes.

3755. If you admit that the scab is easily infectious, you would admit that sheep-pox was?—I do not know anything of it.

3756. Do you consider it is right that one man should be able to damage the stock of another by placing his infected stock close to the other man's, and thus damage his property, without being subject to a penalty of some sort for so doing?—I think it is very difficult, and, in fact, that you may do injury by legislation on the subject.

3757. Do you not believe that a great quantity of infected stock would be kept back for market if it was generally known that there was a penalty on the owners of such stock for sending them to market?—As far as my experience of scab goes; if you are speaking now of scab.

3758. All infectious diseases?—It might have the effect of preventing those from going to market, but I think that is the very worst effect it can have. If you want to check the disease, send the animal to where it will be sold; if you want to engender the disease, keep it at home.

3759. You think that mixing it up with the stocks of many other owners would be more likely to check the disease than leaving it at home?—If you treat pleuro-pneumonia at all you do vast mischief.

3760. But in the case milk cows or young stock totally unfit for killing?—You will not cure one in fifty. The worst thing which you can do is to attempt to cure them; send them and have them killed. If you send them to a fat cattle market where they are bought and killed you cut the disease short; keep them at home and put them under treatment, and the chances are that it will extend.

3761. Sir *William Miles.*] Do you export any cattle to Liverpool?—I do not.

3762. Nor to any other port in England?—Nor to any other port in England.

3763. Mr. *Cox.*] Do I understand you to say that both as a grazier and a salesman, as a purchaser of lean stock, and a seller of fat stock, you do not require this Bill at all?—I do not require this Bill at all.

3764. Do you think it would be a great damage and hindrance to trade and business?—I think it would open the door to litigation and would do vast mischief; and if the Bill is carried out, I think it will have a most serious effect on the value of land, both in England, Scotland, and Ireland. I do not think that you will find men of capital likely to embark in grazing land, and I think the landlords would have the farms on their own hands.

3765. Do I understand you to say that it is not the practice in Ireland when you purchase stock to take any warranty whatever?—It has not been my practice.

3766. Do you know whether it is the practice of others?—No; I do not think, generally speaking, that it is the practice with large buyers to ask for it. I think that men in a very small way, and who know little about the trade, are more particular as to those things. As I said before, I think that there is a sort of good understanding and good feeling between the sellers and the buyers which render them a sort of safety.

3767. If you do not take a warranty, do you make an inquiry at the time you purchase as to whether the stock you are purchasing is diseased or free from disease?—Not generally.

3768. I think, in the case you told us of, there was no warranty; but the question was asked?—There was not a question asked; it was a voluntary offer on the part of Mr. Macdonald.

3769. He was the seller?—Yes; he said to Mr. Malcolmson, "Do you know who you are getting them from? My cattle are free from disease"; I am not aware whether Malcolmson asked him the question, but as well as I can recollect, he did not.

3770. They turned out to be diseased?—It turned out that one of these cattle was seized with the disease going home from the fair, and died shortly afterwards; that Malcolmson made an inquiry, and took an action; and found that there

there had been some disease on one of his farms during the previous summer.

3771. And he recovered?—And he recovered.

3772. Sir *Thomas Burke.*]—You have great experience in buying cattle at the fairs in Ireland?—Yes.

3773. In your experience, did you ever see a case of pleuro-pneumonia in any cattle in the western fairs of Ireland?—I do not think I did.

3774. Do you suppose that any exhibitor sending cattle would be mad enough to bring a case of distemper into the fair; to expose thirty or fifty heifers; I hardly think he would; it would be a most serious damage.

3775. Do you think that he would sell his stock?—I am quite sure he would not sell them again for some time.

3776. Do you not think that you would observe it?—I think that it would be difficult to observe; I think that it would be a difficult matter to look so close into a lot of cattle; I do not think even a professional man could find that out.

3777. Do you not think that it would be such a detriment to him, that it would not only be known, but that he could not produce beasts to sell in his own name, that they would be almost unsaleable?—Almost unsaleable.

3778. Mr. *Hunt.*] You called a very large meeting, you say?—Yes.

3779. And that meeting was decidedly against the provisions of this Bill?—Yes.

3780. Did you explain the provisions of the Bill to them?—I think everybody appeared to me to know a little more of the jurisdiction of this Bill than I did myself.

3781. Did you attempt to explain the provisions of the Bill to the meeting?—I did not.

3782. Who did?—I cannot tell you whether it was our Chairman or not.

3783. Were the provisions of the Bill read to them?—I cannot recollect whether they were or not.

3784. Nearly the first answer that you gave was, that you objected to persons being allowed to come on your land and inspect your cattle, and you were stopped by the Chairman upon that point, because that was not in the Bill?—Yes.

3785. Did you learn at that meeting that that was one of the provisions of the Bill?—I did not.

3786. Did you come away from that meeting with the idea that that was in the Bill?—I cannot tell you that, I was under that impression. I was under the impression that the Bill gave powers to inspectors to inspect the stock.

3787. To go on the land of graziers and farmers, and inspect their cattle. You were under that impression?—I cannot say I was.

3788. That was your impression when you came here this morning. You stated this morning, as one of your objections to the Bill, that you did not like inspectors to go on your land and inspect your cattle?—I did.

3789. Where did you learn that that was in the Bill?—I suppose it was that I did not read it correctly. I was under the impression that it gave inspectors greater powers than it does.

3790. You were also under the impression, according to an answer which you have given, that this Bill would give powers to inspectors to seize cattle after you had purchased them, while you were driving them away from the fair?—Yes.

3791. Did you learn that at this meeting?—I learnt it, if I mistake not, from the Bill itself.

3792. *Chairman.*] Perhaps you will point out the clause?—I think it is the fifth clause.

3793. Mr. *Hunt.*] Was it mentioned at this meeting that there was such a provision in the Bill?—I cannot recollect every word that was mentioned at the meeting, but I can recollect the general feeling that pervaded the persons who came there.

3794. You came here to represent that that meeting was wholly against this Bill, and when you came into the box, you showed yourself unacquainted with the provisions of the Bill. I want to know whether the impressions of the meeting as to the provisions of the Bill, were the same as yours?—The impression on my mind is, that there was scarcely a man at that meeting who had not paid more attention to the Bill, and studied it more closely than myself.

3795. You were sent here by that meeting?—I am not sent here by any meeting.

3796. You came to represent the opinions of the meeting?—I came here to give my own opinion.

3797. You come here and represent your own opinions and also the opinions of the meeting; what I want to know is this, whether all the other persons present at the meeting were as ignorant of the provisions of the Bill as yourself?—The impression on my mind is, that they were much better informed.

3798. I suppose you were selected as the best witness to be sent here?—I have not been selected at all; I came here pursuant to a summons of the House of Commons. I do not know who summoned me. I have been sent by nobody, but I have been pulled here by somebody.

3799. You were the person who called the meeting?—I was the person who called the meeting.

3800. You represent that the opinion of the meeting was decidedly against the Bill?—Yes.

3801. Are you aware that two provisions were in the Bill which are not now to be discovered in it?—Is the last not in the Bill?

3802. Certainly not. Was the Bill read out to this meeting?—I cannot state that it was; I rather think it was not.

3803. You are not able to tell us who explained to the meeting the provisions of the Bill?—The provisions of the Bill, as far as I recollect, were explained by Mr. George Woods Mansell, who was very much interested in land.

3804. Lord *Naas.*] He is a lawyer, I believe?—Yes.

3805. Mr. *Hunt.*] Was it from his explanation that you acquired your own knowledge, such as it is, of the provisions of the Bill?—I read the Bill in the first instance, and I may have read it wrong; I may have taken some view of some portions of it that it did not extend to.

3806. As I understand, you state that, with regard to the disease called pleuro-pneumonia, it might be impossible for an inspector to distinguish between an ox that had been overdriven and an ox suffering from pleuro-pneumonia; was that your statement?—No; in the first stage of pleuro-pneumonia.

3807. Do you think that a scientific person would be unable to distinguish?—I think that he would be unable to distinguish without subjecting that beast to some particular test that I do not understand.

3808. You think that a scientific person, by subjecting

Mr. *P. Aungier.*

21 June 1864.

subjecting it to a test, might be able to distinguish often?—It is probable.

3809. If by applying that test, he could distinguish, would there be any hardship in allowing him to order a beast to be removed from a fair or market?—I think that such an enactment would be totally inoperative; I think it would be quite impossible for a veterinary or a scientific man to come into a fair over-crowded with cattle, and pick out one out of a 20 lot, a 40 lot, or a 50 lot.

3810. Do you not think that the effect of appointing an inspector would be, that the diseased animals would be kept out of the market?—I think it would.

3811. Have you had any experience of places where inspectors have been appointed?—We have no inspectors appointed in Ireland.

3812. You have no experience on the subject?—No.

3813. With regard to a warranty; you say it is not the custom of the trade to require a warranty?—I do not think it is.

3814. The question of warranty affects the price, does it not; if you received a warranty with the stock that you bought, would you not expect to pay a higher price per head than if it was unwarranted?—I think it would cause an uncomfortable feeling.

3815. If you required a warranty you would expect to pay a higher price per head than if you did not; would you not?—If I required a warranty it might make a seller more reluctant to sell to me, but I can positively state I would not give a higher price, because of getting a warranty.

3816. You said you thought a man who had a beast affected with pleuro-pneumonia ought to be able to send it away and have it slaughtered, but if he kept it at home it would spread disease in the whole country?—It might if it was infectious; I cannot tell whether it is or not.

3817. Bearing that answer in mind, I want you to explain how if you allowed him to send this diseased beast to a market by a train, it would not spread the disease, but if he kept it at home in his own fold yard it would?—It would spread the disease if he had any other cattle; if it is infectious, and if it is contagious, and he had other cattle, no doubt it would spread; I have great doubt as to its being either infectious or contagious.

3818. If keeping it in his own fold yard would spread the disease amongst his own stock, why do you think that sending it by train, along with other animals belonging to other people, would not spread it?—Because I do not think it is so infectious or contagious that connexion with those cattle in the train for so short a time would have that effect; I do not think it is so. I think it is a very serious question whether it is or it is not. The reason why I have stated that is, that I have frequently had one or two animals in a lot that would take it, and not a single beast ever took it in the same lot.

3819. *Chairman.*] With regard to pleuro-pneumonia, you said, I think that you would deal with lean beasts with pleuro-pneumonia by killing them at once?—Yes.

3820. And that anybody who looked after his interests would do the same?—I think so.

3821. In that case you would never want to send beasts with pleuro-pneumonia into a store-market?—No.

3822. In that case, why would you object to a penalty on persons who, contrary to their own interests, and contrary to the interests of others, send lean beasts into a store-market, with pleuro-pneumonia?—I do not object to a penalty at all on their doing so, except that I object to legislation on the subject at all. I think you cannot touch it by legislation without doing mischief.

3823. Lord *Naas.*] With regard to the opinion which has been expressed at this meeting, I think there is some misunderstanding about it. You stated that you objected to any person coming upon your land, to inspect your cattle, under any circumstances?—Yes.

3824. Was it stated at the meeting that that might take place under the Bill?—I do not think it was.

3825. But suppose it is found in the Bill that such a power is given, do you not think that would increase your objection to the Bill?—I think it would.

3826. Have you got the Bill in you hand?—I have; and as I read it at first I thought it gave that power.

3827. And you were perfectly right. Will you look at the second part of the Bill, page 3. The second part of the Bill, I apprehend you will see, gives Her Majesty "power, by order in Council, to make regulations with respect to the following matters: (1.) The prohibiting or regulating the removal from any specified part of the United Kingdom of cattle, or of the meat, skins, hides, horns, hoofs, or other parts of cattle, or of hay, straw, fodder, or other articles likely to propagate infection. (2.) The examination of any cattle, or of any meat, skin, hides, horns, hoofs, or other part of cattles. (3.) The purification of any yard, stable, outhouse, or other place in which diseased cattle may have been confined, or over which they may have passed, and of any cart, waggon, truck, vessel, boat, or other vehicle in which they may have been carried. (4.) The destruction and burial of any diseased cattle. (5.) The destruction, disinfection, or other purification (as the case may require) of such hides, horns, hoofs, or other parts of cattle as may be suspected to have belonged to diseased cattle, or may be deemed capable of propagating disease. (6.) The giving notice, by owners or others, of any contagious or infectious diseases that may affect their cattle. (7.) The doing any other thing Her Majesty may deem advisable for preventing the spread of disease amongst cattle." Now suppose that Order in Council, the power to give which is taken in the clause, were put into operation, do you not think that would entail and necessitate the inspection of the premises, and the flocks and herds of any farmer who might be within the district so affected?—I thought so at the time, and on that I made that statement; and having my attention drawn to it now I see it does give that power.

3828. Are you aware that that clause was copied from an Act of Parliament now in force, but which was passed by the Legislature, and specially directed against sheep-pox?—I was not at all aware of that.

3829. Do you think that regulations and provisions directed by the Legislature at all against sheep-pox would be in any way applicable to the prevention of the spread of pleuro-pneumonia in cattle, or scab in sheep?—Not the slightest.

3830. Sir *William Miles.*] But if the schedule which gave the power only related to sheep-pox and

and steppe murrain, you would have no objection to it?—No objection whatever.

3831. Lord *Naas.*] Will you read the words of the schedule to which the whole Bill applies?—Glanders, sheep-pox, pleuro-pneumonia, the disease known by the name of aphtha, aphothous fever, murrain, foot and mouth disease, measles and steppe murrain.

3832. So that as the Bill originally stood these very stringent regulations which were contemplated by these Orders in Council, not only applied to pleuro-pneumonia, but were also proposed to be applied to the foot and mouth disease?—Yes.

3833. Sir *William Miles.*] But if the Committee struck out all but what I have stated, namely, sheep-pox and steppe murrain, you would have no objection?—No.

3834. Mr. *Hunt.*] Were you aware that the part which Lord Naas read out of the Bill was simply a copy of the existing law?—I was not.

Mr. *P. Aungier.*

21 June 1864.

3835. If you were told that is the law as at present, you would have seen no reason for calling a meeting in order to object to that part of the Bill?—I think it was very desirable to have the opinion of the first-class landed interest in Ireland, with regard to the effect that would have; and if those clauses are in the Bill, as at present existing, it only shows how inoperative it has been—that it has never been acted upon.

3836. That was the part of the Bill you objected to?—I object to every single part from beginning to end.

3837. If you object to that part of the Bill which Lord Naas read out, as supposing it gave powers to inspectors to enter on your land, you are rather surprised to hear that is the existing law at present?—Yes, I am; I am hardly surprised at anything that Parliament does.

MR. SAMUEL GARNET, called in; and Examined.

3838. Sir *Thomas Burke.*] WILL you state to the Committee what you are?—I am a landed proprietor in Ireland, in which land I graze myself.

Mr. *S. Garnet.*

3839. Where do you live?—I live in the centre of the best grazing district in Ireland.

3840. How many acres of land do you hold?—One thousand four hundred Irish acres, that is over 2,000 English acres.

3841. And you have a stock of cattle and sheep?—Yes.

3842. You have been in the business many years?—I have been 44 years attending the fair at Ballinasloe.

3843. Perhaps it would not be too much to say that you represent the grazing interest of Leinster?—I am here in that capacity.

3844. Were you at the meeting in Dublin which has been referred to?—I was.

3845. Do you remember who was chairman?—Mr. Waldron.

3846. The Member?—Yes.

3847. Do you remember Mr. Gibson being there?—Yes.

3848. He is a solicitor?—Yes.

3849. Did he not explain the provisions of the Bill?—The Bill was read out *in extenso.*

3850. Mr. Aungier was at that meeting?—Yes; he was about the room a good deal, and could not tell actually what was going on at the table where the chairman sat.

3851. You have seen these Bills before the Committee, and have examined them?—I did read them.

3852. What is your opinion of them?—My opinion is that they would be most injurious to the cattle trade of Ireland.

3853. Both the Importation Bill and the Home Bill?—The Bill as it stands.

3854. I will ask you a question or two about pleuro-pneumonia?—I have had a good deal of experience as to that. I have had it from the first. If I were to give an opinion, and that is all any man can do, I should say I look upon it exactly as I do on the potato disease. It is an atmospheric disorder altogether. I do not think it is infectious at all, which I can prove, from animals that I have on my own land at this moment being next to others that died of it, and they never have had a symptom of it. Just in the same way in a potato field, you will see one man's ridge lost *in toto,* you will see another man's ridge half lost, and you will see another without a diseased potato in it. We cannot account for that, nor can we account for pleuro-pneumonia. I remember Sir Thomas Burke selling 100 heifers to a neighbour of mine in Ballinasloe. One of those heifers died on the road, on its way from Ballinasloe fair; it was as unsound an animal as ever died of pleuro-pneumonia: that is a fact. My neighbour wrote to Sir Thomas Burke in a very great fright about it, to know what he was to do. Sir Thomas Burke told him not to be frightened; that it was the first case of the kind he had ever had; he knew nothing at all about it; he believed his cattle were perfectly sound; and he said, "Keep the cattle, and whatever the loss is I will bear it." The cattle were kept, and the other 99 were sold perfectly sound. I should like to know what Mr. Gamgee or any other inspector would say about that. There was a decided fact. I have at this moment in my possession an animal which has been 16 years on my ground. Our herdsmen have two cows, two calves, and two year-olds, and they have a separate shed for them. This animal got the pleuro-pneumonia to a frightful extent. It was turned out to die; it recovered, and is on the land still. That was 15 years ago. I have its daughter, its granddaughter, and its son, a year and a half old, that I will show against any year and a half old bullock in England, Ireland, or Scotland. How can I call that an infectious disease? I could not do it.

3855. You have brought animals without warranty; have you ever had a case before an assistant barrister where you recovered by process?—In the year 1848 I purchased of a neighbouring farmer four heifers, which heifers proved unsound; I never asked the man for a warranty at all.

3856. Mr. *Cox.*] What was that?—Pleuro-pneumonia; I never ask. and would not do so; I would not ask for what I know a man could not give; no man can warrant them; I have cattle which I have bred myself; I was an extensive breeder of short-horns, but gave it up; some of those have had it; the short-horn herd were kept quite distinct from the grazing herd, as distinctly as if they belonged to separate people; some of those have got it, how I could not tell. This particular case I allude to was a case of four animals; I heard that the man was a tricky sort of man, and that two of his animals had died, and he sent the other four to the fair; there was no warranty asked

Mr. *S. Garnet.*

21 June 1864.

asked or given; I took it to the quarter sessions on the plea that they were sold as sound stock in a legal fair, and legally paid for, and that they ought to have been sound without any warranty. The barrister agreed with me and decreed me the costs.

3857. Lord *Naas.*] Where was that?—At the quarter sessions at ——.

3858. Sir *Thomas Burke.*] You have had a great deal of experience in shipping cattle?—Yes.

3859. And a good deal of experience in railing cattle?—No, I have never railed a beast in my life, except a beast that knocks up from foot and mouth disease. I know a good deal about shipping; I ship every week in the year.

3860. You send all your cattle in that way?—All my cattle go to Liverpool.

3861. You never send to Holyhead?—Never; I object to railway travelling altogether.

3862. Colonel *Barttelot.*] You think, on the whole, that pleuro-pneumonia is decidedly on the decrease in Ireland?—Decidedly; you seldom or ever hear of a case of it now.

3863. With regard to scab in sheep, do you know anything about that?—Perfectly well. I dare say the Committee will laugh; but, for years, when wool was not of so great value as it is now, I always tried to pick out a scabby lot of sheep from Ballinasloe, and I will tell you the reason why; because they are invariably sound; their livers are always sound.

3864. Then you look upon scab as a disease that is very easily cured?—I do not value it at all.

3865. But you think it is contagious?—Of course. There is an old Irish saying; "One scabby sheep will spoil a flock."

3866. Mr. *Hunt.*] You keep a scabby flock, and so they are not spoilt?—No. The herdsmen go through them every fortnight. Take the soundest lot of sheep and leave them unlooked after, and they become scabby. It is their nature to become so.

3867. Colonel *Barttelot.*] Do you know anything about the importation of calves from Liverpool to Dublin?—I know there is a very large importation every year. They come from Chester, where the great Cheshire dairies are.

3868. It has been stated that a great number of those calves are affected with pleuro-pneumonia. Is that within your knowledge?—I have never dealt with them, but I see them in our country fairs in large numbers.

3869. You do not know that the calves coming from England are more subject to pleuro-pneumonia than the calves bred in Ireland?—I should say dairy cattle are a great deal more subject to it in this way. They are better cared for in the winter. Very often it happens as it did this year. We had a very genial beginning of May. Towards the end of May and beginning of June there came a hard frost. A gardener would be induced to put out his plants when he sees the sun shining, never thinking that a frosty night may come. This animal, which has been very nicely housed all the winter, is turned out, and there comes an east wind, and it is more liable to catch cold than an animal which has been at large the whole winter.

3870. The only thing you would say is that the high-bred English cattle do not like the wet Irish climate?—They are more susceptible of cold, and that endangers inflammation of the lungs, the same as in the human subject.

3871. Mr. *Hunt.*] Do you find that scabby sheep fetch a higher price in markets you attend, than those which are not scabby?—They are not scabby. We never sell them in a scabby state; we make them perfectly sound.

3872. I ask you, do scabby sheep fetch a higher price in the markets you attend, than sheep that are not scabby?—A much lower price; that is the reason I buy them.

3873. Your opinion is rather a singular one; that it is rather desirable to get a scabby sheep?—If you have a good class of sheep, decidedly. The famous tea merchant of this city, Mr. Twining, bought a large property in Connemara, and he thought he would be a sheep farmer; he did not understand it, his shepherds did not mind him, and all his sheep became diseased. They were brought to the fair of Ballinasloe, and I purchased those sheep; there was hardly a bit of wool upon them; wool at that time was only 14*s.* or 15*s.*

3874. Should I be unreasonable in thinking that it is the lowness of the price that creates the desirability in your mind?—No; if a good animal with a disease that does not at all affect its character for soundness.

3875. I understand your opinion to be that pleuro-pneumonia is not infectious?—I say not.

3876. And you base your opinion on the fact that you have got the grandchildren of an animal that has had it, that are in a sound state?—Yes.

3877. And therefore you think it is not infectious?—I do not think it is infectious; I never remove my own cattle if they have it; I used to do it at first, but I do not now.

3878. *Chairman.*] Have you any other observations to make to the Committee respecting these Bills?—The only observation is that I, for myself, and for the grazing interest of Leinster, which I, to a certain extent represent from connexion, and from having a number of friends in it, say, we are to a man opposed to the Bill. We have not sought for legislation upon it, we think we are perfectly capable of managing for ourselves, and protecting our own interests without any interference from Parliament.

3879. You think anybody who likes may send beasts with pleuro-pneumonia, or with scab, into a lean-market without any penalty?—I think it would have been a very hard case if Sir Thomas Burke had been accountable for one animal out of the 100 which had pleuro-pneumonia without his knowledge. No one can be held accountable for such a thing. That case is a very curious case, and I was very much interested in it, from having had several dealings with Mr. Macdonald. Those heifers he sold to Mr. Macdonald, and he sold several hundred heifers to other people, from different parts, some from County Kildare, some from Meath; and not one of the others ever showed a sympton of pleuro-pneumonia. To Mr. Malcolmson it appeared all had it; at least, he swore so.

3880. The Bill does not propose to put a penalty on any person who sends animals with pleuro-pneumonia or scab into the market without knowing it at the time?—Scab anyone can know, because the animal shows it itself; it has got an uneasiness, just like a child with what they call the Scotch fiddle; it would be continually scratching; if you touch it at all, it will go into a convulsed state, from the itching. In pleuro-pneumonia the animal has no way of showing it.

3881. I understand that you, as representing the people who buy lean cattle in the markets in Ireland, think that no penalty should be attached to a person who sends a beast knowingly with pleuro-pneumonia

pleuro-pneumonia into the market, and sheep, knowing that they have the scab?—I do not think we require a Bill for that, as I think has been proved in two or three cases. In my own case I tried it by common process in the quarter session, and in Mr. Malcolmson's case, at Kildare, he received large compensation, more than ever I knew of before. He not only got what was his loss on the cattle, but he got consequential damages, 6 *l.* a head for cattle he never fed, nor gave hay, nor anything else to.

3882. Lord *Naas.*] Did you ever hear anyone state there was, in their opinion, anything in this Bill which would prevent the spread of contagion in cattle?—No; it could not be prevented.

3883. That is the opinion of those who would be most served and benefited by anything that would stop the spread of the disease?—Yes; I think it would interfere altogether with our trade.

3884. You go to fairs a good deal?—A good deal.

3885. When you go through the fair do you often see an animal decidedly affected with pleuro-pneumonia?—I have seldom or never seen one at a store fair.

3886. The greater part of the business of selling cattle is carried on by persons, either jobbers who own a number of cattle, or the proprietors themselves, and cattle come into these large fairs generally in lots?—Yes.

3887. Would it not be almost destructive to the sale of a lot of cattle, if a beast was produced in a fair with an evident sign of pleuro-pneumonia?—Certainly.

3888. Would not that character attach not only to the lot that were there, but to other lots of cattle which the owner might produce at other fairs?—Certainly.

3889. So that no legislation which this House can enact, would be so strong against the exposure of pleuro-pneumonical animals, as a man's own interest?—Certainly not, there is no question at all about it. The stockmasters of Ireland have too much regard for their own interests to attempt to do so.

3890. They would be ruined?—Yes.

3891. The practice amongst those gentlemen who are unfortunate enough to have one of these beasts, is to send it away to a place where it would be slaughtered as soon as possible?—Of course.

3892. In point of practice, animals that are even suspected of having pleuro-pneumonia in 99 cases out of 100, whether fat or lean, are sent to a place where they are immediately slaughtered?—Certainly; I purchased a lot of heifers in the fair of ———— the other day, and, after I came home, the man said, "there is one of these heifers with the distemper." I went to see it. The heifers were divided into two lots; I went into the wrong field, and watched the cattle; I said I could see nothing. He was driving the animal in, and I could not discover anything at all. I said, "Give it some medicine, and if it is not right by the day after to-morrow ship it and send it off." When I came home the cattle was quite well, to all appearances, but it was separated from the flock; its hair turned upon it, its ears drooped, and it drivelled from the mouth, and had all the appearances of the distemper, but this was from over-driving, or from injuring itself, or something of the kind; it was all right in a day or two.

3893. Supposing you are of a different opinion with regard to the infection of pleuro-pneumonia, and that you agree with many other witnesses that pleuro-pneumonia is not infectious, do you think the course which is taken of sending these animals at once to be slaughtered would, in that case, be more likely to stop the disease and prevent infection than any other course?—Decidedly.

Mr. *S. Garnet.*

21 June 1864.

3894. With regard to the scab in sheep, that is not a disease which is dreaded at all?—Not the slightest.

3895. The disease that is dreaded is the liver disease?—Yes.

3896. That really occasions very great loss?—Decidedly. It originates from wet pastures. There are some pastures which are subject to it.

3897. Therefore, the loss which the flock-masters experience in their sheep never arises from scab?—Never.

3898. A man who really looks after his property never has the scab in his sheep to any extent?—Never; any shepherd that allows a scabby sheep is not fit to be a shepherd, and I would dismiss him at once. There is a case Mr. Kilby knows perfectly well. He hired for a friend of mine a ram sheep. You asked me a question about scab in sheep. I say, Mr. Kilby hired a ram from a neighbour of mine in the county of Meath, from a ram-breeder in England. This ram came over. We had two rams. At the end of the season he had the option of taking the ram by adding something to the hired price. I inspected all his flock, and I said, "I think the ram is not worth hiring at all; I think it is too dear at the price you have paid; I do not like the sheep at all; send it back." The sheep was sent back through Mr. Kilby. Mr. Kilby received a certificate of the safe arrival of the sheep, and he paid the money for it. In a fortnight afterwards, a gentleman wrote to say that the ram came home in an unsound state, full of scab. I saw the sheep the day before it left Ireland, and it was as free as that table. He threatened law, and sent for a veterinary surgeon, who examined the sheep, and the sheep was condemned by the veterinary surgeon, and he cut the sheep's throat.

3899. Mr. *Hunt.*] How did it go home?—In a truck from Liverpool, I fancy.

3900. You have explained the cause of his having the scab?—Yes; he might have got it between Liverpool and Lincoln.

3901. Mr. *Miller.*] Have your flocks suffered much from liver disease?—The year before last very much.

3902. To what extent?—I dare say I lost 100 out of 1,000.

3903. Which died?—Yes.

3904. Do you consider that is contagious or infectious?—No; it was all from the wet season.

3905. Is it easily discovered?—Yes; the eye shows it; the eye becomes quite white and glassy, the wool becomes loose, and the flesh is the colour of that table.

3906. What is the appearance of the liver?—The liver is all flukes; all live animals.

3907. It destroys the sheep rapidly?—Yes.

3908. Mr. *Cox.*] How many cattle have you on your 2,000 acres?—In stores and fat cattle, 900 beasts.

3909. How many sheep?—One thousand and thirty-six.

3910. I understand you distinctly to say that if you discovered an animal with pleuro-pneumonia in your stock, you never moved it away?—Never; we sell it if it is fit to be sold.

3911. You do not endeavour to separate it from

Mr. *S. Garnet.*

21 June 1864.

the other animals?—Never, in the first stages of it.

3912. Will you be good enough to tell me when you last made the discovery of an animal with pleuro-pneumonia in your stock?—I have one at this present moment.

3913. Is it now feeding?—I began to feed it when I was at home; it was a young two year-old bullock, of no value to sell, beyond its hide.

3914. Have you taken no precautions to separate them from any of your other stock?—This one I did, because it is going under a treatment of medicine; but the others I did not, I put them into the best land I had.

3915. Have you, of late years, ever found that by keeping one diseased animal with the remainder of your flock, the disease has spread or not?—No; if it did, decidedly it was infectious; but from its nature I cannot believe so; that is my experience.

3916. Will you explain one thing, which the Honourable Member for Northamptonshire asked you; you told us that you preferred scabby sheep?—I did not say that; I said that I picked them out.

3917. Was it not the fact that sheep with the scab, were looked on as perfectly sound, or with lung disease—Yes.

3918. And that the scab, being so easily cured, you would rather buy a sheep with scab, which is easily cured, if it is sound, than by one which is possibly unsound?—Merely from this fact, that other people pass them by; the sheep are not paid attention to by other persons, and I get them at a much lower price.

3919. How many animals do you send from Drogheda to Liverpool in the course of the year?—Do you want to know each week?

3920. No, in the course of the year?—About 800.

3921. You send them to Liverpool?—Yes. There is a trade sprung up between Dublin and London as to bullocks.

3922. Did it never happen to you to send at one time a diseased animal and sound ones together?—Frequently.

3923. Did you ever have the diseased one seized at Liverpool?—Never.

3924. What would you say, then, to a state of things which would give power to an inspector to seize the whole of the cattle, sound as well as unsound, in consequence of there being one unsound?—I would never send an animal to market in an unsaleable state; I would not let an animal off my land in that state; it cannot be in a thriving state.

3925. Have you seen at any time a diseased animal and an animal without disease sent to Liverpool?—Certainly.

3926. Have you ever had the diseased one seized?—Never.

3927. What do you think, then, of a state of things which would not only enable an inspector to seize the diseased cattle, but also every other one sent with them?—I think that it would be very unjust.

3928. Would you like that in Ireland?—Certainly not. We would like to have no inspector at all; if there be an inspector, the only way that pleuro-pneumonia can be stopped, in my opinion, is, having a provision as strict as ever you like in the dead-market.

3929. Do you, then, as a grazier and buyer of lean cattle, and seller of fat cattle, say that you do not want the protection of this Bill?—Certainly; and I can say more than that. I have known cattle to be shipped with what they call pleuro-pneumonia, the distemper, to go to Liverpool; and whether it was the sea-air, or the voyage, or what it was, they recovered on their way; and the gentlemen whom I deal with have a very large tract of land about Liverpool, where they have turned them out, and some have become fat.

3930. *Chairman.*] You have said, I think, in answer to an Honourable Member, that stock-keepers in Ireland would not knowingly send a beast with pleuro-pneumonia into the live cattle market?—Certainly not.

3931. But that they kill those beasts?—I do not know what they do with them, but they would not sell them; they would not let it be known.

3932. You have also said that no careful stock-keeper in Ireland would have scab?—Certainly not; he may have a scabby sheep, but it is cured at once; there may be men who get neglectful about their business, and their servants do not attend to their business; but they would no more have a scabby sheep than a gentleman would have a dirty plate at his table.

3933. Therefore, if there should be an Act of Parliament placing a penalty on sending beasts with pleuro-pneumonia into a lean cattle market, or sheep with scab in a cattle market, it could not affect the stock-keepers in Ireland?—It would be quite unnecessary legislation, I think.

3934. At any rate, it could not affect the stock-keepers in Ireland, who, you say, neither would send beasts with pleuro-pneumonia to a lean market, nor sheep with scab?—No more than the present laws affect the honest man.

3935. Mr. *Hunt.*] Do you consider it dishonest then to send beasts with pleuro-pneumonia into a lean market?—I do not think any honest man would do it knowingly.

3936. Do you think any honest man would send scabby sheep into a store market?—I have known a great number of honest men do it, and they have been quite ignorant of it.

3937. Do you think it honest to send scabby sheep into a market?—I do not see any dishonour in it. It shows great neglect.

3938. You do not think it dishonest to send scabby sheep, but you do think it dishonest to send cattle with pleuro-pneumonia?—They are quite different things. One is a dead loss, while the other is no loss whatever, except the twopenny matter of dressing you put upon them.

3939. You say you prefer buying scabby sheep; do you prefer buying oxen with pleuro-pneumonia?—They are quite as distinct as any two things can be.

3940. Mr. *Miller.*] If you had an animal with pleuro-pneumonia, would you not endeavour to sell it as quickly as possible?—Any animal in a saleable state that would sell for from 5 *l.* to 10 *l.*, or 12 *l.*, I would sell that animal; but an animal selling under that I would prefer to cure. As a store animal did you ask?

3941. Or a fat animal?—The bad ones are all sent to the Zoological Gardens; the animals are fed on that sort of meat. As to its being wholesome, I know when it first broke out, the people lived upon it, and fattened upon it.

LIST OF APPENDIX.

Appendix, No. 1.

Papers handed in by Dr. Letheby, 31 May 1864:

Account of the Seizures of Meat in the City Markets since 1860 - - - - p. 195

Table of the Deaths in England, from Carbuncle and Boil, from 1838 (Five Years before the Importation of Pleuro-pneumonia in Cattle, 1842) and since - - - - p. 196

Appendix, No. 2.

Paper handed in by Dr. Letheby:

Regulations in force in different Continental Cities, as regards the Slaughtering of Animals and the Sale of Meat - - - - - - - - - - - - p. 197

Appendix, No. 3.

Papers handed in by Mr. Maxwell:

Statement by Dairymen or Cowfeeders in Edinburgh - - - - - - - p. 201

Statement by Cowdealers in Edinburgh - - - - - - - - - - p. 202

Appendix, No. 4.

Papers handed in by Mr. Maxwell, and referred to in his Evidence of 7 and 10 June 1864:

Letter from Dr. Littlejohn to Mr. Maxwell, dated 31 March 1864 - - - - p. 203

Letter from Dr. Littlejohn to Mr. Maxwell, dated 11 April 1864 - - - - p. 203

Rate of Mortality in Eight Principal Scotch Towns - - - - - - - p. 203

Return of the Quantity of Butcher Meat Seized in Aberdeen, and Condemned as Unwholesome under "The Nuisances Removal (Scotland) Act, 1856" - - - - - p. 204

Letter from Mr. Alexander Monro to Mr. Maxwell, dated 16 April 1864 - - p. 204

Report by Market Committee under Remits to them in regard to the Management of the Slaughter-houses, and as to the Inspection of Cattle and other Animals intended for Human Food, and of all Butcher Meat brought within the City - - - - - - p. 205

Average Number of Animals and Carcasses brought to the Edinburgh Slaughter-houses for the Three Years 1859-60, 1860-61, 1861-62 - - - - - - - - p. 210

Number of Animals and Carcasses Suspected of being Diseased, and entered in the "Apparently Diseased Book," for each of the Four Years 1859-60, 1860-61, 1861-62, 1862-63, and for four Months of 1863-64; and the Numbers of each Class of Animals and Carcasses Condemned as Unsound and Unfit for Human Food, and Destroyed - p. 210

Statement, by Dairymen, in reference to Disease in Cows, from 15th May 1863 to 15th May 1864 - - - - - - - - - - - - - p. 211

Appendix, No. 5.

Papers handed in by Mr. James Higgins, 17 June 1864:

Detailed Account of the Number of Diseased Cattle and Carcasses brought into the Borough of Leeds for Examination, for the three Years ending December 1863, and the Result of such Examination - - - - - - - - - - - - - - p. 213

Number of Diseased Cattle and Carcasses brought into the various Slaughter-houses of the Borough of Leeds for Examination, for the Three Years ending 31 December 1863, and the Result of such Examination - - - - - - - - - - - - p. 213

Appendix, No. 6.

Papers handed in by Mr. Hunt, 21 June 1864:

Order in Council relative to the Examination of Cattle - - - - - - - p. 214

Instructions in respect to the Delivery of Cattle - - - - - - - - p. 215

Proceedings of the Board of Customs as to the case of Cattle Condemned at Leith - p. 216

Appendix, No. 7.

Account of the Number of Cattle, Sheep, and Swine imported into the United Kingdom, in each Year, from 1842 to 1863, both inclusive - - - - - - - - - - - p. 218

Return of the Number of Cattle, Sheep, &c, which it has been found necessary to detain and slaughter on account of their being diseased when imported into the Port of London, during each of the Years 1859, 1860, 1861, and 1862, showing also the Number Condemned and Destroyed as Unfit for Human Food, and the Number subsequently delivered to the Consignees, the Flesh not appearing to be impaired - - - - - - - - - - p. 218

APPENDIX.

Appendix, No. 1.

PAPERS handed in by Dr. *Letheby*, 31 May 1864.

ACCOUNT of the Seizures of MEAT in the City Markets since 1860.

	Died.	Diseased.	Putrid.	TOTAL.
1861:	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*
Newgate Market	25,843	65,467	12,056	103,366
Aldgate „	2,323	7,115	1,885	11,323
Leadenhall „	5,453	18,516	2,800	26,769
TOTAL in 1861	33,619	91,098	16,741	141,458
	It consisted of 1,100 sheep and lambs, 43 calves, 189 pigs, 899 quarters of beef, and 659 joints of meat.			
1862:				
Newgate Market	9,513	57,544	13,579	80,636
Aldgate „	2,424	9,032	879	12,335
Leadenhall „	2,007	12,103	2,965	17,075
TOTAL in 1862	13,944	78,679	17,423	110,046
	It consisted of 542 sheep and lambs, 34 calves, 152 pigs, 735 quarters of beef, and 766 joints of meat.			
1863:				
Newgate Market	15,780	86,280	52,493	154,553
Aldgate „	1,458	6,446	2,851	10,755
Leadenhall „	3,086	21,394	20,717	45,197
TOTAL in 1863	20,324	114,120	76,061	210,505
	It onsisted of 870 sheep and lambs, 90 calves, 303 pigs, 1,178 quarters of beef, and 2,988 joints of meat.			
Eight Months of 1864:				
Newgate Market	26,925	56,926	27,502	111,353
Aldgate „	2,792	4,467	120	7,379
Leadenhall „	4,537	8,446	4,989	17,972
TOTAL in 8 Months	34,254	69,839	32,611	136,704
	It consisted of 532 sheep and lambs, 31 calves, 286 pigs, 824 quarters of beef, and 1,095 joints of meat.			

App. No. 1.

TABLE of the DEATHS in *England*, from CARBUNCLE and BOIL, from 1838 (Five Years before the Importation of Pleuro-pneumonia in Cattle, 1842) and since.

YEARS.	Total Deaths in England.	Deaths from Carbuncle.	Deaths from Carbuncle, per 100,000 Deaths.	Average of Five Years.
1838	342,529	35	10	
1839	338,979	38	11	
1840	359,561	33	9	10
1841	343,847	28	8	
1842	349,519	40	11	
1843 to 1846	No return.	—	—	
1847	423,304	77	18	
1848	399,833	91	23	
1849	440,839	81	20	26
1850	368,995	134	37	
1851	395,369	161	41	
1852	407,135	233	57	
1853	421,097	252	60	
1854	437,905	300	71	62
1855	425,703	255	60	
1856	390,506	253	65	
1857	419,815	252	60	
1858	449,656	246	55	
1859	440,781	236	53	54
1860	422,721	247	58	
1861	435,114	193	44	

And, in addition to this, the deaths from Phlegmon have increased from an average of 25 in 100,000 deaths to 81.

Appendix, No. 2.

PAPER handed in by Dr. *Letheby*.

REGULATIONS in force in different CONTINENTAL CITIES, as regards the SLAUGHTERING of ANIMALS and the SALE of MEAT.

Austria.

A SYSTEM of cattle and meat inspection has long been in force in Austria, to ensure that none but healthy cattle shall be slaughtered, and none but sound meat should be sold. Regulations on this subject, in modern times, were passed in Lower Austria in June 1838, and October 1850; in Upper Austria, June 1830, and October 1831; in Steiermark in December 1776; in Illyria in May 1820, and August 1822; in Corinthia in March 1841; in Bohemia in May 1770, and December 1810; in Moravia in November 1827; in Gallacia in June 1802; in the Lombardo-Venetian Provinces in August 1817, in March 1821, and in December 1832; in Dalmatia in March 1827; in Siebenbürgen in June 1851, &c. &c.

According to these regulations, a sufficient number of cattle and meat inspectors shall be appointed in every place, and bound by oath to the faithful execution of their duties.

These persons have to examine into the state of the animal's health, and the good condition of the slaughtered beast. They shall be present at the taking off the skin, as well as at the opening of the carcass during slaughtering; for which purpose they are to possess ample knowledge of the appearances of unsound and of healthy meat.

Horned cattle, with calves, sheep, lambs, and pigs, are to be inspected at latest 24 hours before slaughtering.

Any person trading in fresh meat, or selling meat in any way, prepared or cooked, who purchases cattle not duly inspected according to regulation, shall, for the first offence, in addition to forfeiting the meat, or the money received for its sale, be fined 25 to 200 florins; for the second offence the fine shall be doubled; and for the third offence shall be deprived of his license, and be declared incapable of ever again exercising an occupation of the kind.

Every beast purchased from a foreign part must be set apart for examination during 10 days in a separate place, and then be subjected to inspection. Any person violating this regulation will be punished with confiscation of the beast. In every case, such foreign cattle must not be placed in the public stalls for slaughter, or be exposed for sale, until they have been approved as internally healthy by the inspector.

The meat of beasts suffering from inflammation of the spleen, or from cattle murrain, or which have been bitten by a mad dog, or any other mad animal, as well as the flesh of measly pigs, must not, on any account, be exposed for sale. Inspectors generally, indeed, must only permit the slaughter of healthy beasts. It will of course be understood, however, that fractured limbs, and other external injuries, form no obstacle to slaughtering.

The inspectors shall draw up a special report of their inspections, according to forms issued for that purpose. The result of each inspection is entered upon the report, under the respective heads; and, if the beast is found fit for slaughtering, the inspector furnishes the owner with an inspection certificate containing the same particulars. App. No. 2.

If the animal be unsound, or suspected, no such certificate is to be issued.

If the animal be suspected of an illness, the infallible tokens of which may reasonably be expected to appear on slaughtering, the owner may request to have it slaughtered in the presence of the inspector, on his own responsibility; and, provided the animal proves sound, the inspector has then to furnish the owner with the certificate.

If on inspection, at or before slaughtering, an animal shows evident unsoundness, or if the owner decline to take the slaughter of a doubtful beast on his own responsibility, the inspector has to give notice of the fact, to prevent its being slaughtered in secret, as well as the use of the unwholesome meat.

Any person thinking himself aggrieved by the inspector's declaration of an animal's unsoundness, and consequently withholding the certificate, is at liberty to lay his complaint before the local tribunals, which will proceed, at the complainant's expense, to examine the condition of the animal, with the assistance of unprejudiced adepts, and will either confirm or withdraw the prohibition to slaughter. If any such complaint relate to an animal which has been slaughtered at the request of the owner, and on his own responsibility, the local tribunal shall use all possible expedition in coming to a decision, to avert damages to the meat. The complainant, however, in case of such damage, will not be at liberty to claim compensation, seeing that he might have brought forward his complaint before the animal was killed.

The local tribunals shall satisfy themselves, from time to time, of the correct keeping of the inspectors' reports. Every fortnight, the cattle and meat inspectors shall ascertain, by careful examination of all the shops of butchers, free slaughterers, &c., as well as upon the premises of other persons who may have killed horned cattle, that none but the flesh of healthy animals is being sold. When any illegality shall be discovered, the requisite direction for its removal shall be given, or, should circumstances require, information must be laid before the authorities.

The certificate received from the inspector authorises the sale of fresh meat only, within a certain period, consisting of three days after the certificate is issued, during the months of May, June, July, and August; and four days during other months.

If meat, or slaughtered cattle, be sent for sale from

App. No. 2.

from other parts, the local tribunals and meat inspectors have to see that the seller can show the inspection certificate from the place of slaughtering, according to the above regulations.

Especial care must also be exercised that no dead beasts, or already decomposing meat, be brought in from the country for sale in towns, or large communities.

The better to attain the object of cattle and meat inspection, all meat hawking and secret slaughtering are entirely prohibited.

Public flayers are strictly forbidden to keep or feed pigs; they must neither deliver carrion to menageries nor use it for pig feeding. They are likewise interdicted from smoking tongues.

The sale of the flesh of horned cattle, which, while living, displayed signs of disease, or were manifestly unsound; as, for example, measly pigs, animals stricken with cattle murrain, or which have been bitten by rabid dogs, is forbidden, under penalty of confiscation, or still severer punishment. It is also prohibited to sell the meat of animals near the time of bringing forth their young, as well as of all very young animals, especially of calves under three weeks old, or weighing less than 40 lbs.

The regulation of the 8th of January 1789 contains a detailed description of the various cattle diseases which render meat entirely or partially unsound, or which offer no obstacle to its healthy use.

The meat of already slaughtered beasts, especially from abroad, is not usually permitted to be sold in the market, unless a certificate of internal soundness can be exhibited, and unless the reason for the animal having been slaughtered is some external injury.

Bavaria.

In every circuit there is to be elected, by the local police, officials for the inspection of cattle and meat; and, where veterinary surgeons are to be found, these are to be elected by preference, as they are to have the supervision of the sub-inspectors.

The inspectors have the examination of all animals before they are slaughtered, and of the carcasses when they are killed.

All animals destined for human food, as oxen, pigs, sheep, goats, and horses, whether in towns, boroughs, or villages, must be examined in a living state, and after they are slaughtered; and for this purpose notice must be given to the inspector 12 hours before the slaughtering of any animal.

The inspector not only decides whether the animal is sound, and the meat good for food, but he also determines the class to which it belongs, there being three classes of food, differing in value.

When the meat of a diseased animal is unfit for food, it rests with the inspector or veterinary surgeon to decide whether it shall be wholly destroyed, or whether certain parts of it, as the fat, skin, and bones, can be used for technical purposes.

The inspectors have a certain sum paid them from the local treasury, either as a salary or as fees, for the examination of each description of animal; these fees are fixed by the local authorities, and in some cases are paid by the owners of the animals or the meat.

In all cases of difficulty or dispute, the sub-inspectors refer the matter to the veterinary surgeon, who decides definitively.

The sub-inspectors have also the duty of looking after the condition of the markets and public slaughter-houses.

Berlin.

In every market, whether for the sale of cattle or meat, there is a police official, charged with the direction of the market in all matters relating to the sale of sound meat or cattle. The stall where the officer is to be found is distinguished by a flag.

It is the duty of this official to examine everything in the market for sale as food, and to seize and confiscate all unsound food; and to report the offender to the police agents, who summon him before the magistrates to answer to the charge against him.

At every cattle market there is an experienced veterinary surgeon, who inspects the cattle sent there for sale.

In Berlin, as in the whole of Prussia, there exists what are called slaughterers' districts, where there is a slaughterer appointed to seize and destroy all animals in a diseased condition. The skin of these animals is the perquisite of the slaughterer, and the other parts are buried. If the owner of a diseased animal gives notice to the slaughterer that he wishes to have the animal slaughtered, and to keep the skin, he gives the slaughterer compensation.

All the results of inspection and slaughtering are properly entered in a book, and no meat can be sold except by persons who are licensed to deal in it.

Regulations in force in the Canton of *Berne (Switzerland).*

All slaughtering to be in the public slaughter-houses or in licensed places.

Cases of urgency excepted: It is not allowed to kill an animal until the appointed inspector has examined it; and, in case of accident, when the animal must be immediately killed, and before the inspector can come to see it, the slaughtering must be in the presence of two respectable witnesses; but the animal must not be cut up until the inspector arrives.

No meat to be sold until it has been examined by the inspector and certified to.

In case of dispute between the inspector and the owner of the meat, the latter can demand the assistance of two experts, taken, if possible, from among the licensed veterinary surgeons, who are to decide definitively whether the animal can be killed, and whether the meat can be sold, and in what condition.

It is forbidden to kill animals of less than 14 days old. It is also forbidden to kill animals which have been over driven, before they have time to rest themselves and recover.

It is forbidden to sell putrid meat.

The hawking of meat is forbidden, and so also is the sending of meat from one commune to another, except with the consent of the police.

Instructions for the Inspectors of Slaughter-houses. *(Berne.)*

The inspectors who are appointed by the Common Council, if not licensed veterinary surgeons, are to be qualified for their duties.

They are to keep a register of the certificates given by them.

They

They are to take care that the greatest cleanliness is observed in the slaughter-houses, in the butchers' shops, and the scalding and pork shops.

They are to take care that no diseased meat is sold, salted, or smoked, or made into sausages.

They are to note the condition of the animal before slaughtering, and of the carcass after slaughtering. (Here rules are given for the principal matters to be noted.)

The following are the diseases which render the meat of an animal more or less unfit for food:—

A.—*Among Epizootic and Contagious Diseases.*

Carbuncle.
The cattle plague.
Gangrenous pneumonia.
The hoof disease among horned cattle, sheep, and pigs.
Erysipelatous fever among all species of animals.
Glanders among horses (horse flesh is eaten).
Dysentery.
Parasytic diseases of horned cattle.
Hydrophobia, among all species of animals.

B.—*Among Sporadic Maladies.*

All species of dropsy.
All inflammations which result in gangrene.
All cancerous and foul ulcers.
All tubercular softenings of the lungs and liver.
False leprosy of horned cattle.
True leprosy of pigs, and cutaneous erysipelas.
Blennorrhœa of the vagina of cows.
Jaundice.
Poisoning of every kind.
Consumption in general.

Nevertheless, if, after having destroyed the parts affected by the disease, the other parts are sound and wholesome, they can be sold in the following cases, after having been examined and carefully considered by two licensed veterinary surgeons:—

Gangrenous peripneumonia.
Softening of the lungs and liver.
Sight inflammations.
False leprosy.
Blennorrhœa of cows.

In cases of extraordinary symptoms of disease, the inspector, if he is not a licensed veterinary surgeon, is to take the opinion and advice of a licensed veterinary surgeon.

The execution of the ordinances relating to this matter rests with the Préfet of Police.

Italy (Florence).

It is forbidden to sell, to furnish, or to make any use whatever of meat prepared, raw or cooked, of animals, as the ox, sheep, goat, and pig, which have died, or have been killed in a state of disease. They shall be buried immediately.

No animal can be killed for food without having been first examined by the municipal veterinary surgeon, who resides in the public slaughter-house, and his decision is to be made in accordance with certain rules made for the purpose. Due notice must be given to the veterinary surgeon of an intention to slaughter an animal.

Meat is divided into three classes, namely,—

Class 1. Meat of the first quality, from animals in a perfectly healthy condition.

Class 2. Meat of animals not in a sound or normal condition, but fit for food.

Class 3. Meat not fit for food, as from animals in a high state of disease.

It is the duty of the inspector to mark each of the first two classes of meat with a particular seal; all putrid meat, as well as the meat of the third class, is confiscated and buried.

The milk of animals suffering from disease, especially from foot-and-mouth disease (epizoozie), is forbidden to be sold; and so also is milk showing signs of containing pus.

All slaughtering must be carried on in the public slaughter-houses; and it is forbidden to send a slaughtered animal into the city without the carcass being entire with the skin upon it and the viscera in it, and it must be conveyed to the public slaughter-house for inspection.

In all cases of infectious disease among cattle the animals must be killed, and their carcasses buried, and the waggons, utensils, &c., used in such cases must be thoroughly washed and disinfected.

Brussels.

It is forbidden to slaughter anywhere but in the public slaughter-houses.

There is attached to the public slaughter-houses an inspector in chief, a veterinary surgeon, two expert or skilled inspectors, and a number of other free inspectors.

The inspector in chief has not only the general control and management of the slaughter-houses, but he, as well as the expert inspectors, is charged with the examination of the animals entering the slaughter-houses, and also with the examination of the meat before it goes out.

The veterinary surgeon is required to attend at the slaughter-houses on market days, and to assist the inspectors in the examination of the cattle; he is also especially appealed to whenever there is any doubt or difference of opinion among the inspectors as regards the condition of the cattle or of the meat. The veterinary surgeon reports to the college of bourgomasters, and sheriffs, whenever there is epizootic disease, and also on any facts relating to the public health.

All the officers are bound by oath to perform their duties well and faithfully, and never to allow any feeling whatever to interfere with the proper performance of their duties.

All animals arriving at the slaughter-houses are to be conducted directly to the stalls or pens.

The slayers, butchers, and pig killers, furnish the straw for littering the animals, and they have right to the dung or soiled litter of the stalls, &c.

Animals cannot be kept more than eight days in the abattoir; and the food for them is provided by the owners, but the introduction of forage is under the direction of the chief inspector.

All beasts destined to be killed are first visited by the expert inspectors, and those animals which are known or suspected to be tainted with disease, and to be unfit for food, are put into the pound, in order that they may be disposed of in accordance with the rules relating thereto.

After slaughtering and skinning the animals, they are examined internally by the inspectors, so

App. No. 2.

as to ensure the proper state of the meat; and the viscera removed from the bodies of the animals must be so preserved as not to leave a doubt to which animal it belongs.

All diseased meat, or meat suspected to be diseased, is provisionally seized, and placed in a special locality. It is dressed by the inspectors, and a report is drawn up stating the reason for its seizure, and its condition and quantity. This report is immediately sent to the Commissary of Police.

All meat sent from the slaughter-houses must not be cut up in less than quarters.

All meat seized by the inspectors is buried if it is not claimed in 24 hours; and when it is claimed it is again examined by one of the expert inspectors of the abattoir and two free inspectors, and the meat is either given up or buried according to the decision of the majority of the three experts.

The charges of this examination are paid by the owner if the meat is unfit for food, and by the city if it is not unfit.

When the slaughterer, or his assis ants, finds, during the killing or dressing of an animal, any signs of disease, he must give immediate information to one of the inspectors; and whenever he find a fœtus in the animal, he is also to give notice to the inspector, who buries it; for it is forbidden to sell or appropriate a fœtus for food, the skin only being given up to the owner.

There are also regulations as to the time of killing, the mode of scalding pigs, of dressing the tripe, melting the fat, removing the offal, &c. &c.

And, with regard to the management of the cattle market, it is ordered that before the opening of the market the animals shall be examined by the veterinary surgeon attached to the abattoir.

In those cases where the veterinary surgeon considers the animal so diseased that it should be killed, and there is no opposition on the part of the owner, it is killed immediately; but where the owner contests the opinion of the surgeon, he can claim the intervention of a veterinary surgeon of his own selection. If the two surgeons are of a different opinion, a third is called in, the inspector in chief, who decides definitively. The cost of these examinations is to be borne by the party in the wrong.

Paris.

By a decree of the 9th of February 1810, it was resolved to remove all the private slaughter-houses from Paris, and to conduct the business of slaughtering animals in five public slaughter-houses; namely, three on the right bank of the Seine, and two on the left, but they were not opened to the butchers of Paris until the month of September 1818. From that time to the present there have been many regulations concerning this matter, and all these have been co-ordinated in the grand ordonnance of the 25th of March 1830. This ordonnance is composed of 301 articles, and it embraces the discipline and commerce of the abattoirs and boucheries of Paris; it is, indeed, a complete code of laws relating to this subject, and is always adopted as the regulations to be applied to new abattoirs. These regulations are so nearly like the regulations already described as in force at Brussels, that they need not be reproduced.

The summary of the regulations in force in several cities of the continent is,—

1. That all markets are under strict supervision.

2. That cattle sent to the public markets, and to the public slaughter-houses, are carefully examined by the inspectors or officers appointed for that purpose.

3. That diseased cattle are carefully kept from healthy cattle ,and are either destroyed or disposed of in such a way as to prevent their communicating disease to other cattle, or their being sold for human food.

4. That in all large cities the slaughtering of animals is either conducted in public slaughter-houses, or is so regulated as to ensure the condemnation of diseased meat.

5. That to guard the public against the mischief which arises from the use or consumption of unwholesome meat, the animals destined for food are examined, not only before they are killed, but also afterwards.

Appendix, No. 3.

App. No. 3.

PAPERS handed in by Mr. *Maxwell.*

STATEMENT by Dairymen or Cowfeeders in *Edinburgh.*

Edinburgh, 4 May 1864.

We, the undersigned Dairymen or Cowfeeders in Edinburgh hereby certify that Mr. John Gamgee, veterinary surgeon, did not apply to us for, nor obtain from us, any return showing the number of cows kept by us, the number sold diseased to the butcher, and the number sold diseased for pigs, during the year commencing 1st July 1861 and ending 1st July 1862.

It is our firm opinion that the statistical Table furnished by Mr. Gamgee, and published in Page 214 of Appendix to Report of Medical Officer of the Privy Council, is altogether incorrect, and consequently untrue, Mr. Gamgee never having had any information from us on the subject, and as he could not have furnished a correct Table except through us individually, and from no other source. The Report made by Mr. Gamgee, we repeat, is therefore false and without foundation.

Number of Cows kept by each from 1 July 1861 to 1 July 1862.

Dairymen or Cowfeeders.	Number of Cows.	Dairymen or Cowfeeders.	Number of Cows.
Alex. M'Intosh, 13, Greenside-street	52	Joseph Waldie, 123, Pleasance	11
Mary Ramage, 14, Niddry-street	32	James Rae, Grange Loan	4
William Haddow, 10, N. W. Circus-place	23	Thomas Pringle, 8, St. James-street	18
Robert Fraser, 176, Rose-street	25	Richard Girdwood, Causewayside	5
William Dickson, 68, Potter-row	16	Thomas Wright, 23, Carnegie-street	23
John Prentice, Tollcross	44	William Wilson, 158, Rose-street	11
John Begbie, 48, Cross-causeway	55	John M'Bean, Abbey	6
John Robertson, 42, London-street	20	John Niven, 9, Huntly-street	30
Robt. Chisholm, 46, North Richmond-street	20	Charles Wilson, 17, Brunswick-street	14
A. E. Hardie, Main Point	20	William Gray, 46, India-place	4
John Wood, 1, Potter-row	11	Thomas Munro, 5, Warriston-place	28
John Niven, 33, Cumberland-street	19	Stephen White, 217, Canongate	20
Thomas Wood, 23, Hercules-street	10	James Henderson, Roseburn Dairy	31
Robt. Sibbald, Wester Comely Bank	30	James Christie, Barony-street	36
James Watson, 5, Raeburn-place	20	Colin Jack, Leith-walk	22
David Laidlaw, 115, Cowgate	21	Walter M'Dougal, Greenside-street	21
John Coltherd, 16, Cumberland-street	21	William Orr, Jamaica-street	24
Thomas Cockburn, 52, West Richmond-street	7	Thomas Arnold, Edinburgh	8
J. Brotherston, 63, So. B. of Canongate	15	Thomas Wilson, Blandfield	29
John Martin, 23, Dundas-street	39	Thomas White, 8, St. Anthony-place	19
Robert Shaw, Main-point	30	Andrew Simpson, Rosemount Dairy	25
James Fleming, 70, Northumberland-street	17	Thomas Honeyman, Dalry Main's Dairy	32
William Porteous, Leven Lodge	28	John Aitken, 31, Richmond-place	10
David Stevenson, High Riggs	14	James Brown, 62, Fountain-bridge	12
William Robertson, 1, Church-street	20	Peter Ogg, 128, Rose-street	20
William Jack, Dean-street	14	William Goodwin, 5, Burnfield-place	2
Robert M'Pherson, 5, Belfrage-lane	3	Janet Spence, Thornie Bank	50
John Cairns, Gilmore Park	25	Mary Ramsay, West Port	12
George Walker, 21, Clerk-street	15	John Campbell, 18, Rose-street	10
John Currie, Grange-road	10	James M'Morran, 3, Queen's-place	28
Alex. Learmonth, 54, Bristo-street	30	John Wood, Springfield, Leith-walk	20
Andrew Ramage, Jock's Lodge	10	Marion Sommerville, 9, Macdowal-street	15
William Cooper, 36, Broughton-street	24	James Smith, Horsewynd, Cowgate	10
James Henderson, Piti-street	20	A. Edgar, Arthur-street	17
John Burton, 6, Cannon-place	7	Norman M'Donald, Echo Bank	—
George Orr, 45, India-place	10	George Smith, 3, Northumberland-place	10
Alexander Robertson, 70, Rose-street	16	George White, Leith-walk	8
William Stobie, 17, Clerk-street	33	M. Hannah, 32, Leven-street, Edinburgh	10
Peter Gardiner, 5, Union-street	50	James Thomson, 239, High-street	23
A. Kellock, 80, S. B. of Canongate	9	James Boe, 5, Veitches-place	19
Andr. Learmonth, 29, St. Patrick-square	18	John Thomson, Heriot-place	12
John Gibson, 1, Hope-street	43	Michael Millar, Morningside	5
Robert Niven, Ferry-road	13	David Jamieson, Egypt, Morningside	48
James Niven, Allanfield	12	Andrew Sanderson, Nicolson-street	26
John Blair, Cherrybank	20		
James Brown, 3, Cowgate-head	24		
William Chisholm, 60, Causewayside	10		
Thomas Clapperton, 52, Causewayside	30	Names afterwards added.	
John Houston, 176, Rose-street	5	John Begbie, Dalry	12
William Wilson, 38, Howe-street	11	Donald Macfarlane	7
John Jack, Liberton	25	John Mann, 19, Buccleugh-street	7

App. No 3.

Statement by the Undersigned Cowdealers in *Edinburgh*.

We, the undersigned cowdealers in Edinburgh hereby declare that Professor Gamgee did not receive from us any information for the purpose of preparing a report on disease in the Edinburgh dairies for the year 1861–62, or for any other period. And that even had we been applied to by him, and had we been willing to have answered questions affecting the private concerns of our customers, it would have been entirely out of our power, and beyond our means of knowledge, to have furnished him with such details as those contained in his report.

Robert Shaw, Main Point.
William Shaw, Main Point.
James Stark, Mid Calder.
William Gentleman, Avonbridge.
Gorges Scott, Lilliesleaf.
Peter Wright, Galashiels.
James Martin, Earlstown.
George Russell, Carnwath.
James Brunton, Biggar.
James Porteous, Biggar.
Joseph M'Kay, Roberton.
Alexander Martin, cattle-dealer, Earlston.
John Lawrie, West Calder.
John Martin, Edinburgh.
Robert Bradbey, Penrith.
A. E. Lardie, Edinburgh.
John Prentice, 8, Tollcross.
James Walker, cattle-dealer, Whitburn.
James Taylor, cowdealer, Prestonpans.
Robert Thomson, cowdealer, Edinburgh.

Appendix, No. 4.

PAPERS handed in by Mr. *Maxwell*, and referred to in his Evidence of 7 and 10 June 1864. App No. 4.

LETTER from Dr. *Littlejohn* to Mr. *Maxwell*.

PUBLIC HEALTH DEPARTMENT.

Dear Sir, Police Office, Edinburgh, 31 March 1864.

IN answer to the query contained in your letter of the 28th instant, I beg to state that since my appointment in 1854, as Surgeon of Police, no case has come under my notice in which I could trace the connection between the eating of diseased meat and ill health.

I have inspected it in many cases, but of course it is quite possible that the symptoms showed might have been due to other causes.

Cases in which the connection could be traced have been reported as having occurred in the practice of professional brethren in town, but no such case has come under my official cognizance.

Yours, &c.
(signed) *Henry D. Littlejohn*, M.D.,
Medical Officer of Health.

J. Hall Maxwell.

LETTER from Dr. *Littlejohn* to Mr. *Maxwell*.

My dear Sir, Police Chambers, Edinburgh, 11 April 1864.

IN reply to your queries, I beg to state:

1st. That for the last 10 years I have been Surgeon of Police in this city, and that during that period no case has come under my notice in which it was averred that any bad results had followed the eating of meat suspected to be unsound, as the poorer classes are necessarily more exposed to suffer from such improper nourishment. I feel confident that if in any case suspicion were excited as to the character of the meat, the authorities would have been communicated with, and I should have been directed to investigate the facts.

2d. During the same period, a force of about 500 individuals had been under my constant inspection. I do not remember of any illness caused by tapeworm, and I have never seen a specimen of the worm which had been passed by a member of the police force, or by my patients in private practice, with the single exception of a young boy who had, however, spent several years on the Continent.

I am, &c.
(signed) *Henry D. Littlejohn*,
Medical Officer of Health.

J. Hall Maxwell, Esq., C.B.

RATE of MORTALITY in Eight Principal Scotch Towns.

My dear Sir, 40, York-place, 17 May 1864.

I FIND in answer to your query that the following is the place of Edinburgh among the eight principal Scotch towns for 1863.

Ratio of deaths to population:—

1.	Aberdeen	1 in 42.
2.	Leith	1 in 40.
3.	Perth	1 in 40.
4.	Paisley	1 in 39.
5.	Edinburgh	1 in 37.
6.	Dundee	1 in 34.
7.	Glasgow	1 in 29½.
8.	Greenock	1 in 23½.

I am, &c.
(signed) *Henry D. Littlejohn.*

App. No. 4.

RETURN of the Quantity of BUTCHER MEAT Seized in ABERDEEN, and Condemned as Unwholesome under "The Nuisances Removal (Scotland) Act 1856."

1856:	August	22	2 carcasses of beef.
	„	29	1 „ „
	Sept.	12	1 „ „
	„	„	1 „ of veal.
	„	13	1 „ of beef.
	Oct.	6	1 „ „
	Dec.	18	4 „ of mutton.
1857:	Feb.	16	1 „ „
	March	19	4 „ of veal.
	„	„	11 pieces of veal.
	June	4	1 carcass of veal.
	„	27	1 „ of beef.
	Dec.	14	1 „ „
1858:	March	2	1 „ „
	„	29	1 „ „
	April	30	3 carcasses of mutton.
	May	10	1 „ „
	„	21	28 pieces of beef.
	„	„	23 „ „
	June	10	1 carcass of beef.
	„	22	1 „ „
	August	9	11 pieces of beef.
	Nov.	8	1 carcass of beef.
	Dec.	10	1 „ „
1859:	May	23	1 „ „
	July	25	1 „ „
	August	2	1 „ „
	„	16	29 pieces of beef.
1860:	Jan.	14	1 carcass of beef.
	April	2	1 „ „
	„	5	1 „ „
	„	20	1 „ „
	May	3	1 „ „
	June	8	1 „ „
1861:	April	7	1 „ „
	Sept.	6	1 „ „
	Oct.	19	1 „ „
	Nov.	13	1 „ of pork.
1862:	Feb.	26	1 „ of beef.
1863:	Jan.	21	1 „ „
	August	28	1 „ „
	Oct.	14	1 „ „

These are exclusive of six or eight carcasses which, during the above time, have been seized in the county, and a similar number which the owners themselves were permitted to destroy, as it did not appear that they were really intended to be sold for human food; one half of the number seized may have been labouring under pleuro-pneumonia, while the other half was composed principally of calving cows and old cows affected with obstructions, inflammation, extreme poverty, or other diseases.

About 1,000 cattle are killed in Aberdeen weekly, for home consumption and for exportation.

13 April 1864. *A. Mellis,* Inspector for Aberdeen.

Condemned as bad, 1856 to 1863 inclusive:

36 carcases, beef or veal.
102 pieces, beef or veal.
9 sheep.

Average annually { 4½ carcasses, cattle. / 23 pieces. / 1⅛ sheep.

LETTER from Mr. *Alexander Monro* to Mr. *Maxwell.*

Town Clerk's Chambers, Glasgow,
My dear Sir, 16 April 1864.

I HAVE been so busy with various Railway Bills, in which we are interested, that I have been unable sooner to undertake your matter. I shall take your queries in their order.

1. It is illegal to slaughter any animal, or to dress the carcass of any animal, whether ox, cow, bull, sheep, or pig, save in the public slaughter-houses under the direct supervision of the Town Council, as Cattle Market and Slaughter-house Trustees.

2. The superintendent of markets, or the tacksman, might exclude any animal evidently diseased from the market. All animals are admitted into the slaughter-houses; but where there is any appearance of disease they are not allowed out until they are inspected by two skilled practical butchers, sent by the police, and certified to be fit for human food. Dead animals are also freely admitted, but not allowed to be taken out till certified. We have since authorised all animals to be detained until their immediate previous history is given, if the butchers desire to know this.

3. The number has been very small, but no record has been accurately kept of the animals condemned.

4. The inspector of nuisances under our Police Act have power summarily to seize any animal substances or meat exposed or kept for sale which is unwholesome or unfit for human food. Any number of the police force may be named inspectors for this purpose; and if the meat is condemned by the magistrate it is forfeited, and a penalty incurred not exceeding 10 *l.*

There is a medical officer of health attached to the police, but I am not aware that he interferes with the matter of butcher meat. If he saw any evil arising, as he believed, from the use of unwholesome meat, it would be his duty to call attention to it; but I am not aware of his having done so.

I am, &c.
(signed) *Alexander Monro.*

J. Hall Maxwell, Esq.,
Fenton's Hotel,
St. James's-street, London.

I may mention that last year the Market Trust minutely investigated the matter, and they came to the conclusion that very little unwholesome meat got into consumption in Glasgow, and that our means of prevention were sufficient.

REPORT

REPORT by Market Committee under Remits to them in regard to the Management of the Slaughter-houses, and as to the Inspection of Cattle and other animals intended for Human Food, and of all Butcher Meat brought within the City. App. No. 4.

Edinburgh, 27 May 1864.

THE subject of the above remits embraces (1) The Slaughter-houses, which are regulated by the local Act of 1850, and the relative Rules and Regulations, and (2) The Inspection of all Cattle, Sheep, and other animals intended for human food, and of all Butcher meat brought within the Police bounds of the City, as to which powers are conferred by the Edinburgh Police Act 1848, and by the Nuisance Removal Act 1856.

The Committee having taken the remits into consideration, and being impressed with the importance of the subject to which they relate, resolved to make a thorough investigation into the various matters embraced therein, the first head including an inquiry as to the sufficiency of the existing rules and regulations of the slaughter-houses, and the manner in which these have been enforced, the competency of the superintendent and the other officers connected with the establishment, and the manner in which they have discharged their respective duties; and the second head being devoted to the subject of the inspection of all cattle, sheep, and other animals intended for human food, and of all dead meat brought within the bounds of the City. The investigations of the committee under these two heads having been conducted separately, the subject will be dealt with in this Report in the same order.

I.—THE SLAUGHTER-HOUSES.

In prosecution of the inquiry under the first branch of the subject remitted to the committee, they have held many meetings, both at the slaughter-houses and at the City Chambers, and they have called before them the following persons, viz.:—

1. Mr. Ramsay, the superintendent.
2. Andrew Somerville, gate-keeper and collector of dues.
3. John Duncan, gate-keeper.
4. Mr. Thomas Dickson, Inspector of Markets, and
5. Dr. Littlejohn, surgeon of police, and medical officer of health;—

And having carefully considered their statements, the manuscript notes of which were circulated to the members of committee for their more deliberate perusal, the committee have now to report that, in their opinion, the existing rules and regulations of the slaughter-houses, with the additions hereinafter suggested, would, if rigidly enforced, be sufficient to secure the public against unwholesome meat getting out of the shambles and being exposed for sale. They are, however, of opinion that, for some time back, the existing rules and regulations have not been strictly enforced, and that the management of the establishment has been such as to necessitate certain changes, and they have now to recommend as follow:—

1. That the authority given by Minute of Council, dated 13th September 1859, to the inspector appointed under the Police Act, "to enter the slaughter-houses at all times and inspect the meat he may find there;" and the instruction to him "to inspect the booths, with or without the superintendent, once a day," be recalled.

2. That the appointment of Mr. Ramsay as superintendent be recalled, and that a properly qualified person, thoroughly competent to detect disease in the living animal and in the dead carcass, be appointed as superintendent under the Act, the person so to be appointed to devote his whole time to the discharge of the duties of his office.

3. That in order to secure the services of a suitable person, a salary of 150*l.* per annum be offered; and that it be the duty of the superintendent to be appointed, to inspect every animal, and all tripe and other offal, brought into the slaughter-houses, and every carcass, including tripe and other offal, before being allowed to be taken beyond the gates, and to enforce the observance of Sections 8 and 9 of the Slaughter-houses Act.

4. That although it shall be the duty of the superintendent to take a general oversight of the whole establishment, and he shall be responsible for the due observance of the rules and regulations, yet, in order to enable him to overtake the more especial duties devolving upon him, he shall be relieved of the duty of keeping the accounts of the animals brought for slaughter, of the collection of the dues at the tripery, and of the weighing of the manure and other refuse delivered to the contractors, and generally of the details of all duties not immediately connected with the inspection of animals and meat.

5. That a suitable person be appointed, at a salary of 80*l.* per annum, to assist the superintendent, and to act for him in his absence, but whose more especial duties shall be to attend to the enforcement of the rules and regulations of the establishment, and of cleanliness and good order within the same, to take oversight of the general arrangements of the tripery and the collection of the dues there, to take charge of the weighing of tallow and of the manure, &c., delivered to the contractors, to keep the accounts of the number and different kinds of animals brought in for slaughter daily, and of the hides, skins, and tallow exposed for sale, to take charge of the booths, to be provided as aftermentioned, for suspected animals and condemned carcasses, and to discharge such other duties as the committee may, from time to time, appoint.

6. That the gate-keepers shall take charge of the weighing of tallow at the gate as at present.

7. That, in order more effectually to secure the public against the risk of diseased animals or carcasses being removed, a separate booth shall be erected, into which shall be taken or removed all animals or carcasses suspected of being diseased, and where they shall remain until finally reported on by the superintendent.

8. That this booth shall, as far as possible, be kept locked, and the key be held by the assistant superintendent, who shall be held responsible to the superintendent for all irregularities that may occur in connection with this booth, and who shall personally see to the removal by the owner of his servants, of all carcasses passed by the superintendent, and the removal to the booth, to be set aside for the purpose, of all carcasses condemned by the superintendent, immediately on the report in each case being recorded.

9. That

App. No. 4.

9. That the assistant superintendent shall take charge of the booth for condemned carcasses, and of the boiling down and disposal of the flesh, bones, tallow, &c., in such manner as may be directed, and he shall likewise be responsible to the superintendent for all irregularities that may occur in connection with this duty.

10. That all animals brought to the slaughter-houses shall be held to be there for the purpose of being slaughtered, and shall be subject to all the provisions of the Act and of the rules and regulations.

11. That the existing rules and regulations be rescinded in so far as inconsistent with the foregoing recommendations, and that application be made to the sheriff to confirm the foregoing rules and regulations in terms of the provisions of the Act, in so far as such confirmation may be necessary.

II.—Inspection of Cattle and Butcher Meat, &c.

Having exhausted the remits so far as referring, more particularly, to the slaughter-houses, the committee took up the consideration of the questions involved in the second branch of their inquiries, viz., the inspection of cattle, sheep, and other animals intended for human food, and all dead meat brought within the bounds of the city.

With the view of procuring information on this head, they examined the following persons, viz.:—

1. Mr. Dickson, the Inspector of Markets under the Police Act.
2. Dr. Littlejohn, Police Surgeon, and Medical Officer of Health.
3. Mr. M'Lellan, 1st Lieutenant of Police.
4. Mr. Wright, Superintendent Collector of City Customs.

The committee were also favoured with the opinion of Mr. Swan, cattle salesman; Mr. Snow, chairman of the fleshers; and Mr. Duff, flesher; who are most desirous to lend all assistance in their power to the authorities in suppressing the traffic in diseased meat.

Having fully considered the subject, in connection with the statements of the persons mentioned, the committee are of opinion that one man is not able to overtake all the duties prescribed for the inspector by the Police Act and otherwise, not only in connection with the flesh market and butchers' shops throughout the city, but also in searching for and detecting all fish, poultry, or other articles of food of an unsound or unwholesome description, and adulterated butter, meal, bread, or any other article of adulterated food whatsoever in any market, shop, stall, or other place where exposed for sale.

The committee are farther of opinion, that the greatest difficulty the magistrates and council have to contend with in securing the public against diseased meat, is the fact that, at no great distance from the city, there are various establishments whose real trade—whatever that set forth may be—is the slaughter of animals of a very doubtful, if not of a thoroughly bad description. These establishments hold out a strong temptation to the needy and rapacious dealer to drive thither such animals as he would not like to subject to inspection at the slaughter-houses; and the committee are persuaded that, by means of bags and other contrivances, the most presentable of the rounds and other pieces of the carcasses of such animals are smuggled into the city, and ultimately consumed by the inhabitants.

The committee have no hesitation in expressing their belief, that a large portion of the unsound meat attempted to be sold in the city is brought from the shambles referred to; and that, the more thorough and stringent the inspection at the slaughter-houses may become, there will be so much the more danger to be apprehended from these shambles, and there will exist the greater necessity for watchfulness on the part of the authorities, over the proceedings of persons keeping or resorting to such places.

Having offered these observations, the committee have now to submit the following further recommendations for the consideration of the magistrates and council, viz.:—

1. That a properly qualified person be appointed Inspector of Markets under the Police Act at a salary of 200*l.* per annum, who shall devote his whole time to the duties of the office; and, while being responsible for the discharge of all the duties prescribed for the Inspector by the Police Act and otherwise, shall more particularly confine himself to the inspection of all cattle and butcher meat brought into, or offered for sale in, the city, and generally discharge, personally, all duties imposed on the inspector in so far as referring to cattle and butcher meat.

2. That an assistant inspector shall be appointed at a salary of 100*l.* per annum, who shall be under the control of the inspector, and shall render to him all the assistance in his power in the discharge of the duties of the office. The committee recommend Mr. Dickson, the present inspector, for this office.

3. That the assistant shall devote more especial attention to the discharge of the duties imposed on the inspector by the Police Act in regard to the examination of fish, poultry, or other articles of food, and butter, meal, bread, or any other article of food, in any market, shop, stall, or other place where exposed to sale within the police bounds. He shall also inspect the cow-byres, and discharge such other duties as the magistrates and council may from time to time appoint.

4. That the market officer shall not permit any carcass or any butcher meat of any description to be taken into the flesh market other than during the regular market hours, as these may be fixed by the magistrates and council from time to time.

5. That the superintendent of police shall be requested to intimate to the chamberlain the names of all persons convicted, in the police-court, of selling diseased meat, and that the chamberlain be instructed not to let to any such person any stall, booth, or other premises belonging to the city, for at least twelve months from and after the date of such conviction.

6. That immediate steps be taken to suppress all slaughter-houses or shambles situated within the distance of one mile from the police bounds, by the adoption of proceedings for imposing the penalties prescribed in Section 25 of the Slaughter-houses Act on all persons slaughtering within a distance of one mile beyond the said bounds.

7. That the superintendent of police be requested to afford to the inspector such assistance as shall enable him to institute a strict watch by day and night on all persons and vehicles coming from the shambles in the surrounding country districts, in order to prevent bad meat from being brought into the city.

8. That

8. That the authorities of the county be applied to for their co-operation and assistance in suppressing such shambles, or, at least, in aiding the city authoritiesin their efforts to detect all attempts to introduce bad meat into the city, and to bring the offenders to justice.

The committee are so much impressed with the desirableness of having these country shambles put down, that they venture to suggest to the magistrates and council the propriety of bringing the subject under the notice of the Lord Advocate, with a view to the introduction into Parliament of a measure providing for the inspection and surveillance of all places where animals are slaughtered.

The minutes of the numerous meetings of the committee, and the statements of the various persons examined in the course of the investigations, are submitted herewith.

In conclusion, the committee trust that the above recommendations will, if adopted and carried into effect, prove a thorough and complete check against diseased or unsound meat being offered to the public.

Thomas Drybrough, Convenor.

Inspection of Butcher Meat in Edinburgh.

The provisions of Acts of Parliament, and of the Rules and Regulations of the Magistrates and Council, and the subordinate authorities, in force in this city, for securing the public against unwholesome meat, are directed to the surveillance and inspection of the slaughter-houses, established by Act of Parliament as aftermentioned, where the animals are slaughtered and the carcasses dressed, and of the markets and shops where the meat is offered for sale, rather than to any special charge or oversight of the live animal.

Important powers are conferred by the following Acts, to be noticed in detail, viz., the Edinburgh Police Act of 1848, the Edinburgh Slaughter-houses Act of 1850, and the Nuisances Removal (Scotland) Act of 1856.

Under the Act first mentioned, an inspector is appointed, whose duty it is "to see that the regulations for markets and slaughter-houses are duly observed; that no carcass, or part of a carcass, of any animal which may appear to have died of or been killed in consequence of disease, is dressed, prepared, or kept therein; that no butcher's meat, fish, poultry, or other article of food of an unsound or unwholesome description, or adulterated butter, meal, bread, or any other article of adulterated food whatsoever is exposed for sale or kept in markets, shops, stalls, or other places." Edinburgh Police Act, 1848. See Section 113.

Clause 114 provides for access at all hours being had to all markets, shops, stalls, &c. not only by the inspector, but by all police officers, in the execution of their duty under the Act.

The clauses which follow provide the requisite machinery for bringing the offender to justice, fix the penalties to be imposed, and grant powers for bringing or otherwise disposing of the unsound or diseased carcass.

Regulations for the guidance of the inspector, specially directed to the prevention of traffic in diseased and unsound meat, have been framed. The following is an excerpt from these:—

"The inspector shall visit the old flesh market, and poultry and flesh markets daily.

"He shall visit, as often as he conveniently can, the other markets, and all shops and warehouses, and places where provisions for human food are stored or kept, or exposed for sale. See "Duties of Officers," page 41.

"He shall, when required by any public institution, attend and examine any article of human food which may be suspected to be unsound or unwholesome.

"He shall direct his particular attention to parties who have been convicted of dealing in unsound or unwholesome butcher meat, fish, poultry, or other article of food, or are suspected of being engaged in such a traffic; he shall carefully observe their movements and transactions, and, if he obtains information which makes it desirable to have a continuous watch kept at any particular place or places, or over any particular person or persons, he shall report to the superintendent, in order that suitable arrangements may be made for that purpose.

"He shall frequently attend at the railway stations in Edinburgh, and, so far as is practicable, examine butcher's meat or other articles of food just arrived at, or being sent out of, Edinburgh; he shall also endeavour to ascertain the particular places in the neighbourhood of the city where animals are slaughtered and dressed, beyond the bounds of police, to be brought into the city, and the particular roads by which, and the times at which the carcasses so slaughtered are brought in, and carefully watch for and examine such carcasses.

"He shall visit the cow-byres within the police bounds, frequently and at uncertain periods, and if he ascertains that any cow in a byre is affected by disease, he shall keep up a special watch, so as to make a detection if any attempt is made to sell the animal, or to kill it and dress the carcass."

In the discharge of these onerous and important duties the inspector has the assistance of the superior officers and members of the watching force, numbering in all individuals. The instructions issued by the superintendent of police for the guidance of the constables require each one to report "any person who shall sell, or expose to sale, or have in his possession, in any market, shop, stand, or place the dressed carcass, or any part of the carcass, of any animal which shall appear to have died of, or been killed in See page 41 of "Duties of Officers"

App. No. 4.

in consequence of, disease; or any butcher's meat, fish, poultry, or other articles of provision of an unsound or unwholesome description, or in a state unfit or unsuitable for human food.

"And every butcher or other person who shall sell or expose to sale, or have in his possession for the purpose of selling, any blown, stuffed, or pricked veal, lamb, or butcher's meat, or shall sell, or expose to sale, any bull beef, without having the words 'bull beef' exhibited on a board, in Roman characters of at least three inches in length, over the stall or place in which it is exposed."

See page 41 of "Duties of Officers."

These instructions also contain the following:—"The carcass, butcher's meat, or other article of provision, is required to be produced in evidence; if, therefore, it is in a shop or stand, the officer must request that it be immediately taken to the police office by the party who has possession of it, and if this request is not complied with, he must send immediate notice to the lieutenant on duty, and be careful not to lose sight of the article till the inspector of markets, or other officer, takes possession of it. If he finds the carcass or other article on the street, and in course of conveyance to some shop or place, he must, without exciting suspicion, follow it, and, taking care not to lose trace of it, he must not interfere till it is deposited. He must then, if there is no doubt in the case, take it and the parties who conveyed and received it to the police office; and if there is any doubt in the case, he must send notice to the lieutenant on duty, and detain both it and any of the parties who are unknown, till the arrival of the inspector or other officer.

"Keepers of all markets, shops, stalls, and other places for the sale of butcher's meat, fish, or other provisions, and all cowfeeders, are bound under a penalty to allow the officer access to their premises at any hour of the day or night, for the due performance of the above duties. If admission is refused, notice must be sent to the lieutenant on duty, the place watched till the arrival of the inspector or other officer, and the occupier of the premises reported."

The provisions of "The Edinburgh Slaughter-houses Act, 1850," furnish a very complete system of inspection of all cattle and animals brought there to be slaughtered.

Edinburgh Slaughter-houses Act, Section 6.

Clause 6 vests in the Magistrates and Town Council the power "from time to time to make, constitute, and ordain all rules, regulations, orders, and bye-laws" "necessary for the regulation of everything connected with the said slaughter-houses, and of the conduct of all persons resorting thereto, or carrying on business or employed therein," &c.

Edinburgh Slaughter-houses Act.

Section 8 provides, "That if any person shall have in his booth, or in his possession, in any place within the said slaughter-houses, the carcass or any part of the carcass, of any animal which, in the opinion of two competent judges, shall be unwholesome, unsound, or unmarketable, such person shall be liable in a penalty not exceeding 20 *l.*; and if any person shall have in his booth, or in his possession in any place within the said slaughter-houses any blown or stuffed veal, lamb, or other butcher's meat, such person shall be liable in a penalty not exceeding 5 *l.*, and all such carcasses and others shall be forfeited and disposed of as the magistrates shall direct."

Same Act.

Section 9 enacts, "That it shall be the duty of the superintendent of the said slaughter-houses, to be appointed by the Magistrates and Council, to see that the regulations for the said slaughter-houses are duly observed, and to search for and seize all carcasses, or parts of carcasses, of any animals which shall have died, or appear to have died, of disease, or to be of an unwholesome, unsound, or unmarketable description, as also all veal, lamb, or other butcher's meat, blown or stuffed, or apparently blown or stuffed, wherever the same can be found within said slaughter-houses, and to convey the same before the said magistrates to be disposed of as they shall direct, for which seizure this Act shall be his warrant; and for this purpose it shall be lawful to the said superintendent at all times, with or without assistants, to enter into and inspect the booths and other places within said slaughter-houses."

Edinburgh Slaughter-houses Act.

Clause 10 enacts, "That every person who shall obstruct or hinder the said superintendent in the discharge of any of the duties imposed on him by this Act, or by the rules and regulations, orders, and bye-laws, to be made as aforesaid, shall be liable to a penalty not exceeding 2 *l.* for every such offence."

In virtue of the powers conferred on the magistrates and council by Section 6 of the Act, they have, from time to time, enacted certain rules and regulations for the management of the slaughter-houses under which the superintendent is responsible for the due observance of the whole regulations.

See Rule, No. 27.

Section No. 30 of Slaughter-house Rules.

Rule No. 30 declares, that "it shall be the duty of the superintendent to see enforced the enactments regarding diseased and unwholesome butcher meat, and blown or stuffed butcher meat, contained in the Slaughter-houses Act; and the enactments for the more effectual prevention of cruelty to animals, contained in the Act 13 & 14 Vict. c. 92, communicating with the Procurator Fiscal, and being guided at all times by his advice in regard to this part of his duty. When he observes any animal, apparently diseased, brought in, it shall be lawful to the superintendent to order such animal to be kept apart until inspected by competent judges."

The regulations are enforced by penalties not exceeding 40 *s.* for any one offence, to be levied, recovered, and applied in terms of the Act.

The staff at the slaughter-houses consists of a superintendent, two gate-keepers, a foreman, with a number of cleaners, and others employed by the Magistrates and Council.

The

App. No. 4.

The every-day business and working of the establishment, as regards the subject of this paper, may be shortly described as follows:—

There is in constant attendance at the gate, when it is open, one of the gatekeepers, who sees every animal brought in; and whenever he observes any animal showing the slightest symptoms of disease, it is his duty to make an entry regarding it in a book known as the "Apparently Diseased Book," which is kept at the lodge at the gate, giving the hour of admission, the owner's name, a short description of the animal, and the number of the booth to which it is to be taken.

It is the especial duty of the superintendent to examine the entries in this book as often as necessary, and to pay particular attention to the inspection of the animals referred to; and no carcass is allowed to be removed until the report by the superintendent, passing it as sound and marketable, has been recorded in the said book.

In addition to this, it is the duty of the superintendent to examine all carcasses before being allowed to pass from the premises, and to detain and to adopt the procedure prescribed by the Act, with regard to what may be of doubtful character.

Carcasses condemned are boiled down on the premises, and the bones and tallow alone saved.

Slaughter-houses Act, 1850.

In order (among other reasons) to secure to the public the full benefit of the system of inspection provided at the slaughter-houses, Section 25 of the Act prohibits the slaughtering of any animal, or the dressing of any carcass within the bounds of police, or within a distance of one mile beyond such bounds, elsewhere than at the slaughter-houses, and imposes a penalty for contravention.

See "Duties of Officers," page 41.

And by the instructions issued to the police constables, they are bound to report parties who, in contravention of the Act, slaughter elsewhere than within the slaughter-houses, &c.

In consequence of the recent agitation, and the alarming statements made as to diseased meat, the Market Committee, acting under a remit from the Town Council, have made a thorough investigation into the working of the Edinburgh slaughter-houses, and the inspection of butcher-meat, &c. in the city; and, while they have found many of the statements and charges made against that establishment to be grossly exaggerated, they are of opinion that the rules and regulations for the general management of the slaughter-houses are susceptible of improvement; and they are, therefore, in course of preparing a report to the Town Council (under the remit) recommending certain changes which, they have no doubt, will render the system more complete, and secure the enforcement of the rules and regulations.

The Committee are also prepared to recommend such arrangements as shall render the services of the inspector appointed under the Police Act much more available than at present, by relieving him of such work in connection with the slaughter-houses as might interfere with the performance of his more immediate duties connected with the detection of diseased meat in the city, and the suppression of the traffic in it.

The Nuisance Removal Act need not be further mentioned than to quote the following clause, imposing a penalty on sale of unwholesome meat:—

See Section 18.

"The Inspector of Nuisances may, at all reasonable times, enter any premises to inspect and examine any carcass, meat, poultry, game, flesh, fish, fruit, or vegetables exposed for sale, or which there is probable cause for believing to be intended for human food; and in case any such carcass, meat, poultry, game, flesh, fish, fruit, or vegetables appear to him to be unfit for such food, the same may be seized; and if it appear to any justice of the peace or magistrate that any such carcass, meat, poultry, game, flesh, fish, fruit, or vegetables is unfit for the food of man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such food; and the person to whom such carcass, meat, poultry, game, flesh, fish, fruit, or vegetables belongs, or in whose custody the same is found, shall be liable to a penalty not exceeding ten pounds for every carcass, fish, or piece of meat, flesh, or fish, or any poultry or game, or for the parcel of fruit or vegetables so found."

In conclusion, it may be added that the great difficulty the Magistrates and Council have to contend with, in securing the public against diseased meat, is the circumstance that in the neighbourhood of the city, but beyond the bounds of police and the jurisdiction of the magistrates, there exist various establishments whose real trade, whatever that ostensibly set forth may be, is the slaughter of animals of, to say the least, very doubtful condition. These establishments hold out a strong temptation to the needy and rapacious dealer to drive thither old worn-out cows and animals afflicted with disease, and under cloud of night, and by means of bags and other contrivances, to smuggle the most presentable of the rounds and other pieces into the city.

App. No. 4.

STATEMENT showing the Average Number of Animals and Carcasses brought to the Edinburgh Slaughter Houses for the Three Years 1859-60, 1860-61, 1861-62; also the Number of Animals and Carcasses Suspected of being Diseased, and entered in the "Apparently Diseased Book," for each of the Four Years 1859-60, 1860-61, 1861-62, 1862-63, and for Four Months of 1863-64; and the Numbers of each Class of Animals and Carcasses Condemned as Unsound and Unfit for Human Food, and Destroyed.

AVERAGE NUMBER of Animals and Carcasses brought to the Edinburgh Slaughter Houses for the Three Years 1859-60, 1860-61, 1861-62.

Average Number of Cattle and Carcasses for the Three Years above mentioned.	
Cattle - - -	21,647
Sheep - - -	123,353
Swine - - -	2,607
Calves - - -	4,795
TOTAL - -	152,402

Note.—The numbers of the various classes brought year by year vary very little.

NUMBER of Animals and Carcasses Suspected of being Diseased, and entered in the "Apparently Diseased Book," for each of the Four Years 1859-60, 1860-61, 1861-62, 1862-63, and for Four Months of 1863-64; and the Numbers of each Class of Animals and Carcasses Condemned as Unsound and Unfit for Human Food, and Destroyed.

	Number of Animals and Carcasses Suspected of being Diseased entered in Book.						Number of Animals and Carcasses Condemned as Unsound and Unfit for Human Food, and Destroyed.					
	Cows.	Oxen and Bulls.	Sheep.	Swine.	Calves.	Totals.	Cows.	Oxen and Bulls.	Sheep.	Swine.	Calves.	Totals.
Year 1859-60 - -	734	45	70	11	11	871	201	8	14	3	7	233
„ 1860-61 - -	681	73	94	23	3	874	95	9	17	3	1	125
„ 1861-62 - -	801	107	105	27	1	1,041	125	14	26	5	–	170
„ 1862-63 - -	707	71	225	27	4	1,034	96	9	71	–	1	177
Four Months of 1863-64 (1st December 1863 to 30th March 1864) - - -	306	40	101	18	–	465	10	–	18	5	–	33

Statement compd. by M. G. J.

City Chambers, Edinburgh, 14 April 1864.

App. No. 4.

STATEMENT, by following Dairymen, in reference to Disease in Cows, from 15th May 1863 to 15th May 1864.

NAMES OF DAIRYMEN.	Number of Cows.	Number of Cases of Pleuro.	Number of Deaths from Pleuro.	Number of Deaths from other Diseases.
Alexander M'Intosh, 13, Greenside-street Mary Ramage, 14, S. Niddry-street. William Haddow, 10, N. W. Circus-place. Robert Fraser, 176, Rose-street. William Dickson, 68, Potter-row.	52	8	none	1, calving.
John Prentice, Tollcross	12	none	none	none.
John Begbie, 48, Cross-causeway John Robertson, 42, London-street. Robert Chisholm, 46, N. Richmond-street. A. E. Hardie, Main-point. John Wood, 1, Potter-row. John Niven, 33, Cumberland-street. Thomas Wood, 23, Hercules-street. Robert Sibbald, Wester Comely Bank. James Watson, 5, Raeburn-place.	55	2	none	1, calving.
David Laidlaw, 115, Cowgate John Coltherd, 16, Cumberland-street. Thomas Cockburn, 52, W. Richmond-street. G. Brotherston, 63, S. B. of Canongate. John Martin, 23, Dundas-street.	21	none	none	none.
Robert Shaw, Main-point James Fleming, 70, Northumberland-street.	30	none	none	10, calving.
William Porteous, Leven Lodge David Stevenson, High Riggs. William Robertson, 1, Church-street. William Jack, Dean-street. Robert M'Pherson, 5, Belfrage-lane. John Cairns, Gilmore Park. George Walker, 21, Clerk-street. John Currie, Grange-road. Alexander Learmonth, 54, Bristo-street. Andrew Ramage, Jock's Lodge.	28	5	none	none.
William Cooper, 36, Broughton-street James Henderson, Pitt-street. John Burton, 6, Cannon-place. George Orr, 45, India-place. Alexander Robertson, 70, Rose-street. William Stobie, 17, Clerk-street.	24	5	none	1, calving.
Peter Gardiner, 5, Union-street A. Kellock, 80, S. B. of Canongate. Andrew Learmonth, 29, St. Patrick-square. John Gibson, 1, Hope-street. Robert Niven, Ferry-road. James Niven, Allanfield. John Blair, Cherrybank. James Brown, 3, Cowgate-head. William Chisholm, 60, Causewayside. Thomas Clapperton, 52, Causewayside. John Hauston, 176, Rose-street. William Wilson, 38, Howe-street. John Jack, Liberton. Joseph Waldie, 123, Pleasance. James Rae, Grange Loan. Thomas Pringle, 8, St. James-street. Richard Girdwood, Causewayside. Thomas Wright, 23, Carnegie-street. William Wilson, 158, Rose-street. John M'Bean, Abbey. John Niven, 9, Huntly-street. Charles Wilson, 17, Brunswick-street. William Gray, 46, India-place. Thomas Munro, 5, Warriston-place. Stephen White, 217, Canongate.	50	6	none	none.
James Henderson, Roseburn Dairy James Christie, Barony-street. Colin Jack, Leith-walk.	32	8	3	none.

App. No. 4.

STATEMENT by Dairymen in reference to Disease in Cows, &c.—*continued.*

NAMES OF DAIRYMEN.	Number of Cows.	Number of Cases of Pleuro.	Number of Deaths from Pleuro.	Number of Deaths from other Causes.
Walter McDougall, Greenside-street.				
William Orr, Jamaica-street.				
Thomas Arnold, Edinburgh.				
Thomas Wilson, Blandfield.				
Thomas White, 8, St. Anthony-place.				
Andrew Simpson, Rosemount Dairy - -	25	7	3	1 calving.
Thomas Honeyman, Dalry Main's Dairy.				
John Aitken, 31, Richmond-place.				
James Brown, 62, Fountain-bridge - -	10	1	—	—
Peter Ogg, 128, Rose-street.				
William Goodwin, Burnfield-place.				
Janet Spence, Thornie Bank.				
Mary Ramsay, West Port.				
John Campbell, 18, Rose-street.				
James M'Morran, 3 Queen's-place.				
John Wood, Springfield, Leith-walk.				
Marion Somerville, 9, Macdowal-street.				
James Smith, Horsewynd, Cowgate.				
A. Edgar, Arthur-street.				
Norman M'Donald, Echo Bank.				
George Smith, 3, Northumberland-place.				
George White, Leith-walk.				
M. Hannah, 32, Leven-street.				
James Thomson, 239, High-street.				
James Boe, 5, Veitch's-place.				
John Thomson, Heriot-place.				
Michael Millar, Morningside.				
David Jamieson, Egypt, Morningside.				
Andrew Sanderson, Nicolson-street.				
John Mann, 19, Buccleugh-street - - -	7	- none -	- none	—
	346	42	6	14

Appendix, No. 5.

PAPERS handed in by Mr. *James Higgins*, 17 June 1864.

BOROUGH OF LEEDS.

Diseased Meat.

Detailed Account of the Number of Diseased Cattle and Carcasses brought into this Borough for Examination, for the Three Years ending December 1863, and the Result of such Examination; viz.—

	EXAMINED.	PASSED.	CONDEMNED AND DESTROYED.
1861:			
Beasts	506	368	138
Calves	107	6	101
Sheep	146	88	58
Pigs	39	31	8
	798	493	305
1862:			
Beasts	704	544	160
Calves	117	2	115
Sheep	163	79	84
Pigs	71	48	23
	1,055	673	382
1863:			
Beasts*	737	543	194
Calves	150	-	150
Sheep	353	149	204
Pigs	138	88	50
	1,378	780	598

* Out of the 737 beasts examined this year, 1863, no less than 467 of them were affected with pleuro-pneumonia.

Number of Diseased Cattle and Carcasses brought into the various Slaughter-houses of the Borough for Examination, for the Three Years ending 31 December 1863, and the Result of such Examination; viz.—

	EXAMINED.	PASSED.	CONDEMNED AND DESTROYED.
Beasts	1,947	1,455	492
Calves	374	8	366
Sheep	662	316	346
Pigs	248	167	81
	3,231	1,946	1,285

27 May 1864.

James Higgins,
Inspector of Meat and Slaughter-houses.

Appendix, No. 6.

PAPERS handed in by Mr. *Hunt*, 21 June 1864.

(No. 74—1856.)

ORDER in COUNCIL relative to the EXAMINATION of CATTLE.

App. No. 6.

Treasury Chambers,
4 August 1856.

Gentlemen,

THE Lords Commissioners of Her Majesty's Treasury have directed me to transmit, for your information and guidance, the inclosed Order of Her Majesty in Council, dated the 28th ultimo, making further provision for the prevention of the importation of diseased cattle, sheep, &c., and to desire that you will govern yourselves in accordance with the directions contained therein.

I remain, &c.,
(signed) *Jas. Wilson.*

The Commissioners of Customs.

Custom House, London,
11 August 1856.

THE aforegoing copy of a Letter from Mr. Wilson, one of the secretaries to the Lords of the Treasury, is, together with a copy of the Order in Council therein referred to, transmitted to the Collector and Comptroller at

for their information and government.
(By Order of the Commissioners.)
F. G. Gardner.

At the Court at Osborne House, Isle of Wight, the 28th day of July 1856.

Present:—The Queen's Most Excellent Majesty in Council.

WHEREAS by an Act passed in the Session of Parliament holden in the 11th and 12th years of Her Majesty's reign, intituled "An Act to prohibit the Importation of Sheep, Cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders," it is amongst other things enacted, that it shall be lawful for Her Majesty, from time to time, by Order in Council, to make such regulations for subjecting sheep, cattle, horses, or other animals to quarantine, or for causing the same to be destroyed upon their arrival in this country, or for destroying any hay, straw, fodder, or other article whereby it appears to Her Majesty that infection or contagion may be conveyed, and generally to make such regulations with respect to the importation of sheep, cattle, horses, or other animals as Her Majesty may consider to be necessary, in order to prevent the introduction of any contagious or infectious disorder; and also by any further Order or Orders in Council, from time to time, to revoke the whole or any part of such Order or Orders issued under the authority of the said Act:

And whereas by Order in Council, bearing date the 4th day of September 1848, issued in pursuance of said Act, Her Majesty was pleased to make certain regulations with respect to the importation of sheep and lambs infected with a certain contagious disease, and whereas it is expedient to revoke the said Order, and to extend the provisions thereof:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and under the authority of the said Act, doth order, and it is hereby ordered, that the said Order in Council, dated the 4th day of September 1848, shall, from and after the day of the insertion hereof in the "London Gazette," cease and determine.

And whereas it has been represented to Her Majesty that sheep, lambs, cattle, and pigs, infected with certain contagious or infectious disorders are, from time to time, imported or brought into this country, whereby infection or contagion may be conveyed:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the said Act, doth order, and it is hereby further ordered, that if any sheep, lambs, cattle, or pigs imported or brought into this country shall appear at the time of their importation to be infected with, or labouring under, any contagious or infectious disorder, whereby infection or contagion may be conveyed, such sheep, lambs, cattle, or pigs, and all or any sheep, lambs, cattle, or pigs imported or brought into this country, in the same ship or vessel with any sheep, lambs, cattle, or pigs, which shall appear to be so diseased, and all hay, straw, fodder, or other article by which it shall appear that infection or contagion may be conveyed, shall be seized and detained by the officers of Her Majesty's Customs at the port of import, and the circumstances be forthwith reported by such officers to the Commissioners of Her Majesty's Customs, and if it be certified to the said Commissioners, by any veterinary surgeon appointed by them to inspect such sheep, lambs, cattle, or pigs, that they, or any of them, are infected with, or labouring under any such disorder, then the said Commissioners may, if they think proper, cause such sheep, lambs, cattle, or pigs, as are so certified, to be forthwith destroyed, and they, the said Commissioners, shall thereupon give such directions as they think fit, either for destroying, or for further detaining, all or any others of the sheep, lambs, cattle, or pigs, which may have been so imported or brought into this country in the same ship or vessel

vessel with the sheep, lambs, cattle, or pigs so certified as aforesaid, together with all such hay, straw, fodder, or other article, or for restoring the same to the owner or owners thereof, subject to any conditions which they may think fit to prescribe, and upon payment by such owner or owners of any expenses incurred by the said Commissioners in respect of the detention thereof. App. No. 6.

And the Right Honourable the Lords Commissioners of Her Majesty's Treasury are to give the necessary directions herein accordingly.

Wm. L. Bathurst.

(No. 113—1856.)

By the Commissioners for Managing and causing to be Levied and Collected Her Majesty's Customs.

6 September 1856.

The Board having, with reference to the General Order, (No. 74—1856), transmitting copy of an Order in Council, dated the 28th July last, making further provision respecting the importation of diseased cattle, sheep, &c., approved of instructions for the guidance of the officers, on the arrival of foreign cattle in this country:

Ordered,—That copies thereof be delivered to the proper officers in London, and transmitted to the Collectors and Comptrollers at the several out-ports for their government.

Custom House, London,
24 December 1856.

The aforegoing copy of the Board's Minute of the 6th September last, is, together with a copy of the instructions therein referred to, transmitted to the Collector and Comptroller at ————.

By order of the Commissioners,
F. G. Gardner.

Instructions in respect to the Delivery of Cattle.

The Commissioners of Customs deem it necessary, for the guidance of their officers in all cases to which their General Order (74—1856) applies, but with special reference to a contagious disease, called "Murrain," which has recently broken out amongst the horned cattle at Mecklenburg, to issue the following general instructions, together with the accompanying statement of the symptoms of the particular disease in question.

1st. On the arrival of a vessel with cattle, sheep, lambs, or pigs, the attendance of the veterinary surgeon is to be obtained as soon as possible.

2d. After the cattle, sheep, lambs, or pigs have been landed, they are to be kept in charge until each animal has undergone a careful examination, and if found free from disease the whole are to be passed immediately; but in the event of any disease being found to exist, such of them as may be so diseased are to be immediately killed, if the same be considered necessary by the veterinary surgeon; and if upon a post-mortem examination of such cattle, sheep, lambs, or pigs, the same be found fit for human consumption, they, and the rest of the importation, are to be delivered to the owner or owners thereof; but should any of those so examined be unfit for such purpose, and the disease be of an epidemic or contagious character, they are to be buried, or effectually destroyed, in the presence of an officer, and the remainder of the importation detained for further examination so long as the veterinary surgeon may deem necessary, and dealt with as before directed. The expenses incurred in detaining the whole or any part of the importation, or in killing and destroying those unfit for human food, to be defrayed by the owner or owners.

3d. Sheep and lambs are not to be examined after dark, daylight being absolutely necessary for the detection of certain diseases.

Lastly. The veterinary surgeon is to be required to keep a record of the particulars of each transaction agreeably to the annexed form.

(A.)

A Communication having been made to the Government that a contagious disease, called murrain, of which there are two kinds, has broken out among the horned cattle at Mecklenburg, the Board have deemed it necessary to furnish their officers with the following extract for their information and guidance:—

The Steppe Murrain.

Symptoms.

From the taking, or first attack of the disease, to its breaking out, seven days generally elapse, during which the cattle attacked are at times more dull, at times more lively, than usual. They hold down their heads, butt with their horns, frequently low; and when driven to water, often jump about and become quite unruly. Sometimes they take their food and chew the cud with unusual quickness; sometimes not at all. Towards the fifth day, respiration somewhat affected, an unfrequent but short dry cough, back somewhat bent, and when stroked unusually sensitive. Eighth day: Disease breaks out, hair stands on end, eyes fixed and dull, nostrils and muzzle hot and dry, inside of mouth hot and of a deep red, gums spongy and swollen and marked with red spots, front teeth loose, hide hard like parchment and adhering to bones, ears and horns febrile, with intermittence of great heat and cold; respiration accelerated but deep, with visible motions of nostrils, cough more frequent, violent, and ringing; pulse hard, from 70 to 75 pulsations per minute; appetite entirely gone. Though some cattle in this stage of the disease take their food as usual, most of them are, however, unquiet,

App. No. 6.

toss up their heads, shiver and gnash their teeth. If stroked on the back they bend down and low mournfully; seldom lie down, and when they do so, instantly get up again; void excrements frequently, urine seldom. In voiding excrements, back much bent, tail turned high up, animal turning its head towards the rump, and striving to lick it. Excrements dark coloured, hard dry ustulatious pellets; urine red and clear. Fever intenser in the evening than in the morning; and as it increases, animal shakes its head, shivers, gnashes its teeth, and refuses to take food. Cows give but little milk, which is, however, more creamy than usual. Ninth and tenth day fever becomes putrescent; small white pustules break out in the mouth, which, when they burst, leave dark red spots that easily bleed. Similar pustules appear in the nostrils and between the clefts of the hoofs; hide, in some places, intumescent, eyes dim, eyelids hanging down. From the eyes flows a pituitous lachrymose humour, which dries up at the edge of the nostrils; nostrils exude a dingy white viscous humour; tongue shrivelled, and often hanging loose out of the mouth, covered with an impure saliva; teeth loose; mucous membrane of mouth sabaceous, and falling off in large places; breath putrid and nauseous; muzzle hard, and cracked like the bark of a tree; hair rough, and without the least gloss; parchment-like hide, now covered in some places with nodules, on which appear small pustules, containing a yellowish humour: pustules burst, humour dries up, and a mangy eruption ensues, commonly on the back, anus, and udder; rumination ceases; animal reduced to a skeleton; pulsation 80–100 per minute; respiration quick, wailing, and painful; intermittence of heat and cold; on the side of the more diseased lung, heat greater, and of longer duration; excrements previously hard, now soft, loose, and watery. This state is followed by choleraic diarrhœa, with acrid, purulent, brownish or blackish-green fæces, smelling like carrion. If constipation now ensues, animal swells up and soon dies; if, instead of diarrhœa, a more natural evacuation of the bowels takes place; if the animal warmth becomes more normal, respiration more free, pulse slower and fuller; if the hide scales off, and regularly running sores (abscesses) are formed, recovery may be expected. This is, however, very seldom the case, the above-mentioned symptoms generally increasing after a short illusory amelioration. Animal then staggers, falls, rolls on the ground, gasps for breath, swells up, is seized with convulsions, and dies.

Precautionary Measures.

When the disease breaks out, or is in any adjacent country, the most stringent regulations to prevent its spreading or introduction should be instantly adopted and duly enforced by the competent authorities.

The most effectual way of checking the disease would be to slaughter the cattle attacked by it at once. But whether they be slaughtered or die of the disease, their carcasses, as well as their excrements, should be burnt or otherwise destroyed, or at least thrown into deep pits dug for the purpose, and carefully covered up with earth. The hides, if preserved, should be tanned as soon as possible; the clothes of the attendants, the stalls, cowhouses, &c., should be purified with chlorine, and the cowhouses well ventilated before other cattle are stalled in them.

Pulmonary Murrain.

Symptoms.—The disease is described as an induration with a sarcose change in the texture of the lungs. The symptoms are much the same as those of steppe murrain; in fact, so similar that the two diseases are often confounded. The first stage of the disease indicated by a short dry cough, may, however, last weeks. During this period the animal may be cured. In the second and third stages, the disease is as fatal as the steppe murrain, takes also much the same course, and ends in the same manner with sedematous swelling, convulsions, death.

(Referred to in Questions 2079—2083).

Proceedings of the Board of Customs as to case of Cattle condemned at *Leith*.

At the Board, 15 June 1864.

The collector at Leith, with reference to the enclosed evidence given before a Committee of the House of Commons, on the 7th inst., will report by return of post the full particulars respecting the slaughtering of the cattle thereinmentioned, and the subsequent disposal thereof.

(signed) *F. G.*

Custom House, Leith,
16 June 1864.

Sir,

On the 18th February last, there were imported by the "Gertrude" from Hamburgh 23 cattle and 110 sheep. Of the cattle, one cow was dead and six apparently very much diseased. On my visiting the vessel along with Mr. Munro, Assistant Surveyor, Professor Dick, who is the appointed inspector of cattle, said that the cow must be immediately thrown away; as to the diseased ones, he thought that if they were put into some byre they might recover. I said I had no power to permit such to be done, unless he gave a certificate that the animals were fit for human food. Instead of doing this, he issued the fiat that they should be treated same as the cow, and under this the animals were slaughtered, not by the Customs, but by the agents of the steam vessel, and Mr. Malcolm, tide-surveyor, saw them taken down the Firth, per steamer, and thrown overboard.

Mr. Malcolm stated that the stench proceeding from the carcasses was terrible. I am of opinion that Professor Dick's stringency in this case has had a most beneficial effect, as the imports since have been of a very different character.

Respectfully submitted,
(signed) *C. S. Gavin,*
Surveyor.

To the Collector.

P. S.—In regard to the statement that the carcasses were subsequently washed on shore, I never heard of such having occurred at this port or neighbourhood.

(signed) *C. S. Gavin.*

Custom House, Leith,
Honourable Sirs, 16 June 1864.

I BEG to transmit the surveyor's report detailing the particulars of this case, and I would add that these cattle were imported at a time when the inhabitants of Edinburgh and Leith were much excited on the subject of diseased meat, caused chiefly by newspaper articles written by Professor Gamgee, veterinary surgeon; this excitement has now almost wholly died out; and if there was an error in this case it was certainly on the side of extreme caution both on the part of Professor Dick and our officers.

The statement about the cattle having been subsequently washed on shore, and the skins sold on behalf of Her Majesty, cannot, I think, be true; at any rate, nothing of the kind occurred at this port. I may state that Professor Gamgee was formerly assistant to Professor Dick, who is the appointed inspector of foreign cattle on behalf of the Customs.

(signed) *T. M. Wearne.*

At the Board.—17 June 1864.

THE Collector will apply to Professor Dick for his report of all the circumstances referred to in the answer to Question No. 2079, in the inclosed paper, and transmit the same to the Board.

The Collector will also report all the particulars with reference to the answer to Question No. 2081, conferring with Professor Dick.

And the Collector will transmit his report to the Board by return of post if possible, if not, by the post of Monday next, at the latest.

(signed) *F. G.*

Custom House, Leith,
Honourable Sirs, 18 June 1864.

HAVING conferred with Professor Dick, I beg to transmit his Report, No. 1, of all the circumstances referred to in the answer to Question No. 2079 of Mr. Maxwell's evidence. The Professor also stated that he had heard of some animals having been found washed on shore in the neighbourhood of Kirkaldy about the time these cattle were thrown into the Firth of Forth.

With reference to the Question No. 2081, I beg to state it has not been the custom to stop the whole of a cargo of cattle at this port, supposing a few have the foot and mouth disease, and Professor Dick has furnished a certificate, No. 2, stating that he has never considered it necessary to stop the whole of a cargo of cattle when some few only might be affected with the foot and mouth disease; he further states that there has not been a case of pleuro-pneumonia at the port since his appointment as inspector. I beg to add that these cattle importations are carried on wholly in steam ships, which often arrive very early in the morning and late in the evening, and that the cattle require to be landed and examined at once, if possible. App. No. 6.

(signed) *T. M. Wearne.*

(No. 1.)

Edinburgh Veterinary College,
18 June 1864.

I CERTIFY that on the 18th February last, I found six cattle affected with the foot and mouth disease, which had arrived at Leith, per the "Gertrude," and a cow, which was dead, and I advised that her carcass should be destroyed, but I advised that the cattle should be put under quarantine for a week, by which time, I was of opinion, they would have nearly recovered. At the time, however, when they were examined they were not in a fit state for human food; but as there was no shed into which they could be put, and from the alarm which had been created in the town, no one would take them into their byres, I left them at the ship, understanding that nothing could be done by the agents for the ship in order to get quit of them, but to have them killed, which was done, and they were sent out in a tug to the Firth and thrown overboard.

William Dick,
Professor of Veterinary Medicine
and Surgery.

(No. 2.)

Edinburgh Veterinary College,
18 June 1864.

I CERTIFY that I have never considered it necessary to stop the importation into Leith of any of the cattle except those that have been actually diseased. There has never been a case of pleuro-pneumonia since I have been inspector at Leith.

William Dick,
Professor of Veterinary Medicine
and Surgery.

App. No. 7.

Appendix, No. 7.

AN ACCOUNT of the Number of CATTLE, SHEEP, and SWINE, imported into the UNITED KINGDOM, in each Year, from 1842 to 1863, both inclusive.

YEARS.	LIVE STOCK IMPORTED INTO THE UNITED KINGDOM.					
	Oxen and Bulls.	Cows.	Calves.	Sheep.	Lambs.	Swine and Hogs.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*
1842 - - - -	3,156	1,038	70	634	10	410
1843 - - - -	1,114	368	39	210	7	361
1844 - - - -	3,682	1,154	53	2,801	16	265
1845 - - - -	9,743	6,503	587	15,845	112	1,590
1846 - - - -	17,191	25,349	2,503	91,732	2,892	3,856
1847 - - - -	27,831	35,480	12,406	139,371	3,349	1,242
1848 - - - -	24,590	22,506	15,642	128,406	2,177	2,119
1849 - - - -	21,884	17,920	13,645	126,248	3,018	2,653
1850 - - - -	28,951	17,757	19,754	137,646	5,852	7,287
1851 - - - -	37,624	24,026	24,870	192,585	9,274	15,599
1852 - - - -	40,533	25,038	27,490	217,694	12,343	10,524
1853 - - - -	56,220	38,328	30,705	249,446	9,974	12,757
1854 - - - -	62,937	25,271	26,130	176,338	7,098	11,077
1855 - - - -	63,687	10,063	23,777	156,646	5,996	12,171
1856 - - - -	52,019	9,843	21,444	135,588	9,471	9,916
1857 - - - -	53,277	12,371	27,315	162,324	14,883	10,678
1858 - - - -	47,912	14,106	26,983	172,079	12,403	11,565
1859 - - - -	55,960	7,334	22,383	236,628	13,952	11,084
1860 - - - -	70,023	6,987	27,559	305,422	14,797	24,452
1861 - - - -	71,288	9,906	28,902	293,919	19,004	30,308
1862 - - - -	64,461	4,357	29,069	276,079	23,393	18,162
1863 - - - -	98,656	10,997	41,245	402,609	28,179	27,137

Office of the Inspector General
of Imports and Exports, Custom House, London,
8 June 1864.

John A. Messenger.

RETURN of the Number of CATTLE, SHEEP, &c., which it has been found necessary to detain and slaughter on account of their being Diseased when imported into the Port of *London*, during each of the years 1859, 1860, 1861, and 1862, showing also the Number Condemned and Destroyed as unfit for Human Food, and the Number subsequently delivered to the Consignees, the Flesh not appearing to be impaired.

YEAR.	SLAUGHTERED.				CONDEMNED.				DELIVERED.			
	Beasts.	Calves.	Sheep.	Pigs.	Beasts.	Calves.	Sheep.	Pigs.	Beasts.	Calves.	Sheep.	Pigs.
1859	660	37	177	54	130	19	38	20	530	18	139	34
1860	1,730	70	672	1,855	165	20	278	223	1,565	50	394	1,632
1861	675	47	853	1,478	266	17	200	293	409	30	653	1,185
1862	583	100	1,080	720	76	36	362	194	507	64	718	526
1863	992	126	4,398	550	299	51	607	220	693	75	3,791	330

Custom House, 9 June 1864.

I N D E X

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

CATTLE DISEASES PREVENTION,

AND

CATTLE, &c. IMPORTATION BILLS.

Ordered, by The House of Commons, *to be Printed,*
27 *June* 1864.

431—I.

ANALYSIS OF INDEX.

ALPHABETICAL and CLASSIFIED LIST of the PRINCIPAL HEADINGS in the following INDEX, with the Paging at which they will be respectively found.

PAGE

Butchers - 3
Meat of Diseased Animals - 25
Cattle Importation Bill - 4
Foreign Cattle - 9
Condemned Meat (Metropolis, &c.) - 4
Edinburgh, 2 - 7
Inspection, 3, 4 - 19
Leeds - 21
Dairy Cows - 5
Edinburgh, 1 - 6
Milk (Foot and Mouth Disease) - 27

EDINBURGH:
1. *Conflicting Statements on the Subject of the Edinburgh Dairies, and the Extent of Disease therein* - 6
2. *Slaughter-houses and Dead Meat Market; and System of Inspection thereat* - 7
3. *Number of Animals Condemned in different Years* - 7
4. *State of Health of the City* - 7

Fairs and Markets - 7
Foot and Mouth Disease - 8
Inspection - 18
Pleuro-pneumonia - 28
Scab in Sheep - 32

FOOT AND MOUTH DISEASE:
1. *Origin of the Disease in this Country* - 8
2. *Extent to which Infectious* - 8
3. *Prevalence of the Disease, and Losses from it* - 8
4. *Question as to Restrictions under the Cattle Diseases Prevention Bill* - 9
5. *Question of Restrictions under the Cattle Importation Bill* - 9
6. *Measures desirable for curing the Disease, or preventing its further Progress* - 9

Dairy Cows - 5
Fairs and Markets - 7
Foreign Cattle - 9
Inspection - 18
Meat of Diseased Animals - 25
Milk - 27
Price of Meat - 30
Railway Conveyance - 31
Slaughter-houses - 36

FOREIGN CATTLE:
1. *Particulars as to the Amount of Disease in Foreign Cattle Imported, and the Number of such Cattle Imported and Condemned* 9
2. *Considerations as to the present Restrictions upon the Import of Foreign Cattle, and as to a Relaxation thereof* - 10

FOREIGN CATTLE—continued. PAGE

Cattle Importation Bill - 4
Foot and Mouth Disease - 8
Inspection, 1 - 18
Leith - 21
"Leo," The - 21
Pleuro-pneumonia - 28
Rinder-pest - 31
Scab in Sheep - 32
Small pox in Sheep - 36

INSPECTION:
1. *Foreign Cattle* - 18
2. *Fairs and Markets* - 18
3. *Dead Meat Markets and Slaughter-houses* - 19
4. *Inspection of Markets, &c. in London* - 19
5. *Question of Appeal from the Inspector's Decisions* - 19

Condemned Meat - 4
Edinburgh, 2 - 7
Fairs and Markets - 7
Foot and Mouth Disease, 4, 5 - 9
Foreign Cattle - 9
Glasgow - 16
Leeds - 21
Leith - 21
"Leo," The - 21
Liverpool - 23
Officers of Health - 27
Paris - 27
Pleuro-pneumonia, 4 - 29
Prussia - 31
Scab in Sheep - 32
Slaughter-houses - 36
Small-pox in Sheep - 36

Insurance Statistics - 19

Ireland - 20
Calves - 4
Cattle Importation Bill - 4
Foot and Mouth Disease - 8
Liver Disease - 23
Pigs - 28
Railway Conveyance - 31
Steamboats - 37
Value of Land - 38

Liability of Vendors - 23
Butchers - 3
France - 10

MEAT OF DISEASED ANIMALS:
1. *Effect as regards the Public Health* - 25
2. *Quantity of Diseased Meat sent to or used in London* - 26
3. *Symptoms of Disease in Meat* - 26
4. *Restrictions desirable upon Sale* - 26

Meat of Diseased Animals—continued. PAGE

Anthrax - 1
Butchers - 3
Carbuncles and Boils - 4
Condemned Meat (Metropolis) - 4
Dairy Cows - 5
Edinburgh - 6
Foot and Mouth Disease - 7
Inspection - 18
Leeds - 21
Officers of Health - 27
Parasitic Diseases - 27
Paris - 27
Penalties - 28
Pigs - 28
Pleuro-pneumonia - 28
Slaughter-houses - 36
Summary Convictions - 37
Tapeworm - 38

Milk (Foot and Mouth Disease) - 27

Mortality from Disease - 27

Dairy Cows - 5
Edinburgh, 1 - 6
Foot and Month Disease, 3 - 8
Insurance Statistics - 19
Pleuro-pneumonia, 5 - 30
Small-pox in Sheep - 36

Officers of Health (Metropolis) - 27

Penalties - 28

Conveyance or Transit - 5
Foot and Mouth Disease, 4, 5 - 9
Inspection - 18
Pleuro-pneumonia, 4 - 29
Scab in Sheep - 32

Pigs - 28

Measles - 25
Parasitic Diseases - 27
Tapeworm - 38
Trichiniasis - 38

Pleuro-pneumonia: PA

1. *Origin of the Introduction of the Disease into this Country* -
2. *Characteristics of the Disease; Extent to which Contagious* -
3. *Means of Curing diseased Animals, and of arresting the spread of Disease* -
4. *Question as to Restrictions in connexion with the sending to Market, or the Sale of Animals suffering from Pleuro-pneumonia*
5. *Mortality from the Disease; its prevalence in different Years* -
6. *Recommended Detention of Diseased Animals on arrival from Abroad* -

Australia -
Ayrshire -
Carbuncles and Boils -
Dairy Cows -
Fairs and Markets -
Foreign Cattle -
Inspection -
Ireland -
Leeds -
Meat of Diseased Animals -
Penalties -
Railway Conveyance -
Slaughter-houses -

Railway Conveyance -
Conveyance or Transit -
Watering of Cattle -

Rinder-pest -

Scab in Sheep -

Slaughter-houses -
Belgium -
Edinburgh, 2 -
Leeds -
Paris -

Small-pox in Sheep -

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; those following *App.*, to the Pages in the Appendix; and the Numerals following *Rep.*, to the Pages in the Report.]

A.

ABERDEEN. Authority for the statement that the markets in Aberdeen are singularly devoid of unwholesome food, *Maxwell* 2132 ——Satisfactory inspection of the Aberdeen dead-meat market, *ib.* 2133-2135. 2167.

Return of the quantity of butcher-meat seized in Aberdeen, and condemned as unwholesome, in each of the years 1856–63, *App.* 204.

Abortion. Causes of the abortion disease in sheep and cattle; extent to which infectious, *Gamgee* 576–579.

Agriculturists' Cattle Insurance Company. Operations of this company adverted to as showing the large loss of cattle from disease in Scotland, *Gamgee* 14-23. 39.

Anthrax. Several forms of disease embraced under anthrax; this disease is widely prevalent, but is not due to contagion, *Gamgee* 261–266——Peculiarly injurious character of the meat of animals who have died from anthrax; instances of loss of life therefrom, *ib.* 267–271——As regards anthrax diseases, the precautions should apply mainly to a prevention of the meat being sold, *ib.* 408-410.

Aptha. See *Foot and Mouth Disease.*

Aungier, Peter. (Analysis of his Evidence.)—Has had a long experience as a cattle salesman in Dublin; is also largely engaged in grazing, 3642-3646——Numerous cases of pleuro-pneumonia among witness's cattle in 1841 and 1842; difficulty in tracing the origin of the disease save to atmospheric causes, 3647-3655——Illustration of the difficulty and expense of any attempted cure of the disease, so that the practice is to sell or kill the animals before they greatly deteriorate, 3655-3665. 3819-3821——Facility of experienced persons detecting the disease in an early stage, 3663-3665——Impracticability of checking pleuro-pneumonia by legislation, 3666-3671. 3822.

Respects in which the restrictions and inspection proposed in the Cattle Diseases Prevention Bill would interfere injuriously with trade, 3672-3685. 3708-3710. 3822——Understanding as to the Bill giving powers to inspectors to enter upon land for the purposes of the Act, 3673, 3674——Annoyance and injustice apprehended under the proposed action of the inspectors, and the system of detaining animals suspected to be diseased, 3675–3686——Impracticability of working some of the provisions of the Bill, 3687-3691. 3809.

Grounds for concluding that no further protection is required than is now afforded in the event of a purchaser buying an animal known by the vendor to be diseased; case of Malcomson *v.* M'Donogh adverted to hereon, 3692-3707. 3765-3771——Protection by means of a warranty; this is not the practice in Ireland, 3706, 3707. 3765–3767. 3813–3815——General condemnation of the Bill in Ireland by both buyers and sellers, 3708–3710——Condemnation of the Bill at an influential public meeting in Dublin of persons interested in farming and grazing, &c., 3710-3717.

Decided decrease in pleuro-pneumonia in Ireland, as compared with former years, 3718–3734——Liability of sheep, in Ireland, to disease of the liver; this cannot be guarded against by legislation, 3735–3738——Evidence to the effect that scab in sheep, equally with pleuro-pneumonia, cannot be guarded against by legislation, and that the proposed restrictions are impracticable, 3739-3758——Doubt as to pleuro-pneumonia being highly infectious, 3744. 3753, 3754. 3816–3818——Increased danger of the spread of infection by keeping diseased animals on farms, and endeavouring to cure them, 3757-3760.

Apprehended litigation if the Bill become law, 3763, 3764——Tendency of the Bill to decrease the value of grazing land, 3764——Detriment to owners of diseased cattle in exposing them for sale at public fairs at the risk of infecting other animals, 3772–3777——Examination upon the question, whether the meeting in Dublin were properly informed as to the provisions and objects of the Bill; question hereon as to witness not having been fully cognisant of the details of the measure, 3778-3805. 3823-3837.

Report, 1864—*continued.*

Australia. Failure of an Act passed in one of the Australian colonies, for arresting the progress of pleuro-pneumonia, *Simonds* 1736, 1737.

Austria. Regulations in Austria in regard to the sale of cattle meat which has been diseased, *Gamgee* 637–639. 678–681——Immense loss by disease in Austria, *ib.* 906——Approval of the means adopted in Austria for preventing the spread of disease, *Letheby* 1403.

Regulations in force as regards the slaughtering of animals, and the sale of meat, *App.* 197, 198.

Ayrshire. Statement of the very large losses in Ayrshire from various causes, in 1852, 1853, and 1854, *Gamgee* 104–106——Considerable amount of pleuro-pneumonia in Ayrshire lately, *ib.* 472–474.

Comparatively small loss, according to the returns of insurance societies in operation in the county, for the last five years, *Maxwell* 2091——Very small loss from pleuro-pneumonia at the present time, *ib.*

B.

Bavaria. Regulations in force as regards the slaughtering of animals, and the sale of meat, *App.* 198.

Belgium. Information relative to, and decided approval of the system in Belgium, whereby cattle are only slaughtered in public slaughter-houses, and are subject to efficient inspection before admission; way in which the diseased animals are dealt with, *Gamgee* 603–631——Size of the farms in Belgium; many of them are very small, *ib.* 616–619. 738, 739. 890–898.

Regulations as regards the slaughtering of animals, and the sale of meat in Brussels, *App.* 199, 200.

Berlin. Regulations in force as regards the slaughtering of animals, and the sale of meat, *App.* 198.

Breeding Districts. Healthy character of those districts in Scotland where breeding alone is carried on, *Gamgee* 104. 108. 122. 128, 129. 471, 472.

Statement as to the exceedingly healthy state of the breeding districts of Scotland at the present time, *Maxwell* 2158–2162.

Brinton, William, M.D., F.R.S. (Analysis of his Evidence.)—Is Professor of Physiology at St. Thomas's Hospital, 1253, 1254——Great loss of the nutritive qualities of meat when diseased, 1255–1259. 1265. 1315——Meat killed in the very early stages of disease would probably not be injurious, and would retain much of its nutritive qualities, 1259–1261——Uncertainty felt as to the effect of the use of diseased meat in producing diseases other than parasitic diseases, 1262–1266. 1310–1316——Effect of diseased meat, and of raw or badly cocked meat (more especially pork), in causing tapeworm, and other parasitic diseases, 1267–1284. 1303.

Circumstances under which parasitic diseases in pigs may prove contagious, 1286–1288——Very rare instances of malignant pustule being caused by the consumption of diseased meat, 1289–1296——Probability of disease having been communicated by the use of the milk of diseased animals, 1297, 1298. 1313——Improved health of the population generally, 1299–1302——Prevention of much mischief if proper cooking could be ensured, 1304–1309.

Brown, George. (Analysis of his Evidence.)—Farmer, in Wiltshire; keeps a large number of sheep, 3257–3260. 3286——Considers that very stringent regulations are desirable, in order to prevent the possible import of sheep with the small-pox, 3261–3271. 3314–3318——Approves of a penalty of 20 *l.* in the case of any person knowingly sending scabby sheep to market, 3272–3280. 3312, 3313——Supplies sundry particulars relative to the steps taken upon the occasion of the outbreak of sheep-pox in Wiltshire, and shows that vaccination and separation, as recommended by Professor Gamgee, were very effectual, whilst inoculation, as recommended by Professor Simonds, was ineffectual, 3281–3311.

Bruised Meat. Bruised state of some meat sent to market, without its being injurious to health, *Simon* 1680, 1681. 1693, 1694.

Brussels. Regulations as regards the slaughtering of animals, and the sale of meat, *App.* 199, 200.

Burge, Frederick John, M.R.C.S. (Analysis of his Evidence.)—Is medical officer of health for the Fulham district; represents the views of the officers of health of the metropolitan district, 1014, 1015——Statement by the Association of the Officers of Health as to the large quantity of diseased meat used in London, and as to the expediency of a strict system of inspection, 1018——Several diseases in cattle which render the meat unfit for food, 1019——Approval of the provisions in the Bills before the Committee for the inspection of animals sent to the different markets and fairs, 1020–1022.

Present

Report, 1864—*continued.*

Burge, Frederick John, M. R. C. S. (Analysis of his Evidence)—*continued.*

Present powers of the medical officers of health in regard to the inspection of meat for sale; respects in which deficient, 1023–1028. 1032. 1046——There is a great deal of diseased meat condemned, 1025——Suggestion that no diseased animals should be allowed to be slaughtered in a licensed slaughter-house; all such animals should be sent to the knackeries, 1028, 1029. 1052–1055——Insufficiency of the proposed inspection at local fairs and markets, large numbers of diseased animals being slaughtered in London. &c., which do not pass through markets and fairs at all, 1030, 1031.

Proposition that the officers of health in the metropolis should have the same power as inspectors of markets and fairs, 1032. 1034——Information relative to some diseased pigs in witness's district, as showing the inadequacy of his present powers of interference, 1032, 1033. 1036. 1237–1252——Nature of the extended powers desirable in the medical officers of health and the local authorities, under sanction of the Secretary of State, 1034–1041. 1125–1128. 1242.

Infectious character of pleuro-pneumonia, and the foot and mouth disease in cattle, 1042, 1043. 1051——Grounds for the conclusion that there is a large consumption of diseased meat in London, and that the use of diseased meat is very injurious to health, 1044–1046. 1062–1076. 1049. 1084, 1085. 1093–1106. 1119. 1127. 1139–1164. 1176–1200——Statement as to the injurious effect upon health by the use of milk of animals suffering from the foot and mouth disease; data for this conclusion considered, 1047, 1048. 1087–1092. 1129–1138. 1150, 1151. 1218–1227.

Restrictions desirable as to the slaughtering of cattle in private or licensed slaughter-houses, so as to facilitate a proper inspection, 1052–1055——Expediency of the proposed restrictions being applied to towns generally as well as to London, 1056, 1057——Belief that there would be no great inconvenience to the butchers' trade in London under the regulations contemplated by witness, 1058–1061——Conclusion as to the unfitness for food of the meat of animals suffering from the foot and mouth disease, as well as from pleuro-pneumonia, 1069–1076. 1094–1124. 1184–1186——Experience of witness in regard to the removal of cattle from his district in an incurable state through the foot and mouth disease, 1072, 1165–1172. 1228–1230——Symptoms by which diseased meat may be detected, 1074, 1075——Importance of an inspection of slaughtering as well as of the meat subsequently, 1076, 1077.

Great mortality lately amongst the pigs in witness's district; way in which fed adverted to hereon, 1078–1082. 1139–1148. 1237–1241. 1247–1252——Greater care on the part of cowkeepers in witness's district in the purchase and treatment of their stock; increased precautions are however greatly required, 1082, 1083. 1231–1236——Contemplated veterinary supervision of diseased animals, 1086——Effect of the use of diseased meat in leading to an increase of carbuncle, 1094–1102. 1153–1157. 1187–1200. 1209–1214.

Discretion proposed to be vested in the officers of health in regard to the condemnation of animals and carcasses unmistakably diseased, 1125–1128——Curable animals should be subject to a quarantine, 1125——Unfitness for food of the meat of diseased pigs, as in witness's district, 1139–1149. 1251, 1252——Consumption of diseased meat by the upper classes as well as the poorer classes, 1155–1164——Effect of boiling the milk from diseased cows in neutralising its injurious effects, 1173, 1174.

The meat of animals in any stage of pleuro-pneumonia, or the foot and mouth disease, should not be used for human food, 1176–1181. 1207, 1208——Immense loss of cattle from pleuro-pneumonia, 1201–1206——Witness has seized diseased meat several times, without any dispute having been raised on the part of the butchers, 1215–1217——Necessity of legislative measures notwithstanding that it is to the interest of cowkeepers and pig-keepers to take precautionary measures. 1231–1252.

Butchers. Butchers must know whether they slaughter diseased meat, and should be held responsible for the sale of it, *Gamgee* 1008, 1009——Belief that there would be no great inconvenience to the butchers' trade in London under the regulations contemplated by witness as to slaughter-houses, &c., *Burge* 1058–1061——There have been no seizures of diseased meat at the butchers' shops in the City, *Letheby* 1372–1374.

Evidence in support of a proposition by the Glasgow butchers for throwing the liability on the original vendor, when the meat is condemned and the animal has been slaughtered within a given time, *Duncan* 2701 *et seq.*——Necessity of the butchers at Glasgow, &c., taking a warranty, if not protected by Act of Parliament, in cases of condemned meat, *ib.* 2754, 2755. 2776–2779.

Means of butchers for detecting whether animals are diseased, *Higgins* 2899–2901——Sufficient facilities of butchers for detecting whether animals are in an unfit state for food; they do not need any further protection than is afforded under the existing law, *Kilbee* 3426–3436. 3472–3479. 3497–3504.

See also *Meat of Diseased Animals.*

C.

Calves (*Ireland*). Importation of disease to Ireland through the trade in English calves, the management of calves in Ireland not being good, *Gamgee* 101-103——Very improper practice in the removal of calves from England to Ireland, so that on their arrival they are in a very unhealthy and diseased state; this might readily be prevented, *ib.* 404-407.

Carbuncles and Boils. Effect of the use of diseased meat in leading to an increase of carbuncle, *Burge* 1094-1102. 1153-1157. 1187-1200. 1209-1214——There is not sufficient evidence to prove that carbuncles and boils have been rendered more prevalent through the consumption of diseased meat, *Brinton* 1311.

Evidence in support of the conclusion that carbuncular disease is produced by the meat of animals suffering from pleuro-pneumonia, *Letheby* 1386-1397. 1519——Belief as to the occurrence of some cases of carbuncle from the use of diseased meat, *Simon* 1565——Witness sees no reason for connecting the increase of carbuncular disease with pleuro-pneumonia; doubt moreover whether the disease is on the increase, *ib.* 1567. 1623, 1624.

Table of the deaths in England from carbuncle and boil since 1838; great increase since the period of the importation of pleuro-pneumonia in cattle, *App.* 196.

Carbuncular Disease (*Cattle*). Suggested restriction upon the sale of the meat of animals having carbuncular disease, *Simon* 1667-1672——Means of determining, from an inspection of the meat, whether the animal has had carbuncular disease, *ib.* 1673, 1674, 1678-1680.

Carcasses of Condemned Animals. Statement as to the value of the carcasses of condemned animals, when sold for piggeries, manure, &c., *Gamgee* 762-770——Course adopted at Leeds in the disposal of the condemned meat; value of the carcasses, *Higgins* 2888-2897.

Cattle Importation Bill. Reason for concluding that the Cattle Importation Bill, or a system of inspection, need not be applied to cattle coming from Ireland or Scotland; approval, however, of regulations for excluding pleuro-pneumonia, *Simonds* 1918-1931. 1946-1954——The Highland Society do not approve of the Cattle Importation Bill in any respect, *Maxwell* 2066——Inexpediency of placing ports in Scotland and Ireland in the same category as foreign ports, as regards importation to England, *ib.* 2066-2070. 2074-2078.

Approval by the importers in London of the Cattle Importation Bill, except in two or three particulars, *Hönck* 2180-2187. 2237——Approval in principle of the same restrictions being applied to cattle from Ireland or Scotland as from abroad; difficulty in practice, *Simmonds* 2374-2385.

The Committee are of opinion that the law now in force with respect to the importation of cattle from foreign countries should not be extended to the carriage of cattle by sea in the United Kingdom, and that the Cattle Importation Bill should not further be proceeded with, *Rep.* v.

See also *Foreign Cattle.*

Cattle Shows. Impracticability of holding cattle shows if the foot and mouth disease wer legislated against, *Maxwell* 2141; *Giblett* 2457.

Cheshire. Peculiar prevalence of cattle disease in Cheshire, especially amongst dairy cows, *Gamgee* 106-110.

Belief that there is very little infectious disease in Cheshire at the present time, *Simonds* 1901, 1902.

City of London. See *Condemned Meat. Inspection*, 4. *Meat of Diseased Animals. Slaughter-houses.*

Condemned Meat (*Metropolis, &c.*) There is a great deal of diseased meat condemned in London, *Burge* 1025——Witness has seized diseased meat several times, without any dispute having been raised on the part of the butchers, *ib.* 1215-1217.

Condemnation of about 270 tons of meat in the City of London in 3½ years, about two-thirds of which was diseased, *Letheby* 1327-1330——Immense quantity of meat sent into the City of London, as compared with the quantity condemned, *ib.* 1473-1482——Nearly twice as much was seized in 1863 as in 1862, *ib.* 1480-1482.

Large proportion of the condemned meat which is delivered over by the salesmen to the inspectors, without being seized by the latter, *Letheby* 1483-1489——Reference to some instances of the judgment of the inspectors having been disputed, *ib.* 1490-1497——Fallacy of calculating the benefit rendered by the city inspection merely by the amount

Report, 1864—*continued.*

Condemned Meat (*Metropolis. &c.*)—continued.

amount of meat condemned, *Letheby* 1531. 1553–1555——Practice of handing over to the city contractor all condemned meat to be destroyed, *ib.* 1556–1558.

Limited condemnation of meat in the city when witness was medical officer of health to the corporation; the matter was not under witness personally, *Simon* 1629–1633.

Account of the seizure of meat in the city markets since 1860, *App.* 195.

See also *Edinburgh*, 2. *Inspection*, 3, 4. *Leeds.*

Congreve, Thomas. (Analysis of his Evidence.)—Is chairman of the central farmers' club, and may be said to represent that body; is largely engaged as a grazier in Warwickshire, 2496–2501. 2520. 2571–2577——Very decided objection of the farmers and graziers to the restrictions in the Diseases Prevention Bill, on the subject of the foot and mouth disease; immense loss and injury to be inflicted thereby, whilst the price of meat would be much enhanced, 2502–2504. 2532–2536. 2571–2582——Difficulty in legislating even for pleuro-pneumonia; non-objection, however, to the proposed restrictions on this point if the foot and mouth disease be excluded from the Bill, 2505, 2506. 2522–2525. 2560–2562. 2579–2596.

Information relative to a bullock recently sold by witness to a butcher which had pleuro-pneumonia; goodness of the meat, 2508–2511. 2541–2548. 2601–2604——Grounds for the opinion that pleuro-pneumonia is not a very catching disease, if it be catching at all, 2512–2519. 2549–2554. 2564–2570——Approval of stringent regulations with reference to sheep-pox, 2526, 2527——Advantage if sheep with scab could be excluded from store markets, 2528–2531. 2557–2559.

Tendency to check infection by cleaning railway trucks, 2535–2563——Belief as to the foot and mouth disease arising from atmospheric causes, and not being preventible, 2535, 2536. 2563——Further statement that the main objection of farmers and graziers to the Bill arises from the provisions relative to the foot and mouth disease; they do not regard the Bill as of any use to them, 2540. 2571–2582. 2591. 2598. 2600.

Conveyance or Transit (*Diseased Animals*). Suggestion by the Highland Society that the same fine should apply to sending diseased animals in a railway truck or steamboat, as to exposing them for sale in a market, *Maxwell* 2054.

See also *Railway Conveyance. Steamboats.*

D.

Dairy Cows. Information with reference to the losses in dairies in large cities; great mortality from the foot and mouth disease and from pleuro-pneumonia, *Gamgee* 23. 71 *et seq*——Large number of dairy cows sold in a diseased state to butchers in London, Edinburgh, Dublin, &c., *ib.* 74–81. 94–101——Equally large loss of dairy cows in other large towns besides Dublin and Edinburgh, *ib.* 99, 100——Less disease and less loss among a number of cattle in town dairies than among a similar number in county dairies, *ib.* 111–127.

Expediency of insisting upon the separation or removal to some slaughter-house of animals attacked with pleuro-pneumonia in town dairies, whilst removal should not be enforced in the case of county dairies or farms, *Gamgee* 181–186——Statement as to the very short period of retaining cows in town dairies generally, before they are sold as being diseased, *ib.* 466–470.

Greater care on the part of cowkeepers in Fulham, &c. in the purchase and treatment of their stock; increased precautions are, however, greatly required, *Burge* 1082, 1083. 1231–1236——Increased care taken by cowkeepers in London in the exclusion of the foot and mouth disease from their dairies, *Letheby* 1402——Considerable prevalence of pleuro-pneumonia in dairy cows, *Swan* 3132——Way in which dairy cattle are very liable to the lung disease, *Garnett* 3867–3870.

See also *Edinburgh*, 1. *Milk* (*Foot and Mouth Disease*).

Dead Meat Markets. See *Inspection*, 3, 4. *Leeds. Liverpool. Meat of Diseased Animals. Slaughter-houses.*

Destruction of Diseased Animals. Approval of animals being killed by purchasers in towns as soon as the disease is detected, although it would be better if they were destroyed before being sent into the towns, *Gamgee* 482, 483.

Disposal of Condemned Animals. Approval of a suggestion of Dr. Letheby as to the mode of disposing of animals condemned as unfit for food, *Gamgee* 315——Disposal of condemned animals at Edinburgh to the piggeries, and for manure, &c., *ib.* 762–770————Mode of disposal of condemned animals at Leeds; that is in the feeding of pigs, *Higgins* 2889–2894.

Dublin. Very severe loss from diseased dairy cows in Dublin, *Gamgee* 90–98. 101.

Duncan, David. (Analysis of his Evidence.)—Butcher at Glasgow, 2699, 2700——Clause proposed by the Glasgow butcher to be inserted in the Cattle Diseases Prevention Bill, providing

Report, 1864—*continued.*

Duncan, David. (Analysis of his Evidence)—continued.

providing that, in the event of the condemnation of any cattle slaughtered within four days after the purchase thereof, the original owner or seller shall refund the purchase-money to the butcher; examination in support of this proposition, 2701 *et seq.*——Instances at Glasgow of the condemnation of meat through incorrect inspection; defects of the present system of inspection adverted to hereon, there not being moreover any power of appeal, 2705–2718. 2780–2783. 2795–2800. 2829, 2830——Consideration of objections to the proposed liability of the original seller; grounds for contending that the clause proposed by the butchers is really required, and would operate fairly, 2711 *et seq.*

E.

EDINBURGH:

1. *Conflicting Statements on the Subject of the Edinburgh Dairies, and the Extent of Disease therein.*
2. *Slaughter-houses and Dead Meat Market, and System of Inspection thereat.*
3. *Number of Animals condemned in different Years.*
4. *State of Health of the City.*

1. *Conflicting Statements on the Subject of the Edinburgh Dairies, and the Extent of Disease therein:*

Immense number of diseased cows sold from dairies in Edinburgh, *Gamgee* 79, 80——Information obtained by witness from dairymen and cow-dealers in support of this statement, *ib.* 81——Some of the information was obtained for him by friendly dairymen from others, *ib.*

With regard to the source of witness's information as to the state of the Edinburgh dairies, he repeats that the information was not all obtained by himself directly, *Gamgee* 464, 465.

Statement in refutation of the evidence and returns submitted by Professor Gamgee, relative to the proportion of diseased cows sold in the dairies at Edinburgh, *Maxwell* 2096–2112——Reference to and production of documents signed by the dairymen and cowkeepers of Edinburgh, in denial of the representations of Mr. Gamgee, *ib.* 2096–2100——Fitness for human food of the main portion of the animals sold from the dairies, and suffering under the foot and mouth disease, &c., *ib.* 2102–2111.

Detailed statement opposed to the evidence of Mr. Hall Maxwell, in which witness's statistics of mortality in the Edinburgh dairies are sought to be controverted, *Gamgee* 2654 *et seq.*——Statement in support of witness's former evidence as to his statistics having been based upon information supplied by the dairymen, *ib.* 2655–2681.

Statement in support of the conclusion that a large number of the dairymen who signed the document submitted by Mr. Hall Maxwell did so without knowing anything of the statistics they were called upon to condemn, *Gamgee* 2676–2691. 2697, 2698——Grounds for a former statement that several cow-dealers corroborated the details obtained from the dairymen; Mr. Prentice and Mr. Martin were two of these, *ib.* 2692–2694.

Further evidence to the effect that information was obtained by witness or his assistants from several of the Edinburgh dairymen who signed the document produced by Mr. Maxwell, *Gamgee* 2979 *et seq.*——Information obtained from the wife of a dairyman named Simpson, *ib.* 2992–3013——Also from Mr. John Martin, cow-dealer, *ib.* 3004–3006——General character of the information obtained from the corn-dealers, *ib.* 3006, 3007. 3011. 3024–3030.

Communication recently received by witness from Mr. Robertson, solicitor at Edinburgh, to the effect that Mr. John Prentice admitted having discussed with witness the subject of disease in the dairies, *Gamgee*, 3011–3013——Letter from Mr. Robertson in confirmation of witness's evidence as to the information derived from dairymen, and as to the prevalence of disease at the present time, *ib.* 3014.

Witness never said that he, individually, had received certain particulars from the cow-feeders, *Gamgee* 3015——Information obtained by witness from John Niven, dairyman, though the latter has since denied giving him any, *ib.* 3017–3023——Statistical nature of the information obtained by witness or his assistants from the dairymen, *ib.* 3031–3037.

Examination upon certain letters produced by the Committee, being denials by Mr. Prentice, Mr. Martin, Mr. Simpson and others, of witness's statements as to their having furnished him with certain information in regard to the losses by disease, *Gamgee* 3045–3057——Mr. Haddow gave witness more information and assistance than any other person did, *ib.* 3057–3062——Reference to a letter from Mr. Haddow in regard to the part taken by him in connexion with witness's statistics; witness considers himself alone responsible for the facts stated, having made the best possible inquiry in the matter, *ib.* 3058–3065.

Belief that witness's report to the Privy Council, as regards the quantity of diseased dairy cows sold at Edinburgh, is under the mark, *Gamgee* 3071, 3072——Reference to and production of correspondence between Mr. Hall Maxwell and witness, on the subject of the statistics in question, *ib.* 3073, 3074——Witness courts further inquiry, and would gladly see Mr. Haddow and others examined before the Committee, *ib.* 3074–3075.

Statement

Report, 1864—*continued.*

EDINBURGH—continued.

1. *Conflicting Statements on the Subject of the Edinburgh Dairies*—continued.

Statement by dairymen or cow-feeders in Edinburgh in denial of certain evidence and statistics of Professor Gamgee, *App.* 201——Statement by cow-dealers in denial of having supplied Professor Gamgee with information in connection with the Edinburgh dairies, *ib.* 202——Statement by dairymen in reference to disease in cows, from 15th May 1863 to 15th May 1864, *ib.* 211. 212.

2. *Slaughter-houses and Dead-meat Market, and system of Inspection thereat:*

Want of a better check at Edinburgh upon the sale of diseased meat, *Gamgee* 212–217——Exceedingly unsatisfactory state of the dead-meat market, *ib.* 314——Between 100 and 200 diseased cattle are sold there weekly, *ib.*——The system of inspection is altogether deficient, *ib.* 417——Large number of diseased cattle sent to the slaughter-houses further adverted to; inefficient inspection of these places, *ib.* 455–463.

Details on the subject of the Edinburgh slaughter-houses, the regulations to which subject; the number of diseased animals sent to them, *Maxwell* 2120–2132. 2147–2149. 2165–2171——Gross exaggeration of a certain statement, that from 100 to 200 diseased animals are sent weekly to the Edinburgh dead-meat market, *ib.* 2121. 2123. 2129–5132——Respects in which the inspection of the Edinburgh slaughter-houses is inefficient; amendments in contemplation, *ib.* 2123–2128. 2166–2171.

Letter from Major Mair, of the Edinburgh Town Council, stating that the Town Council repudiated the statistics submitted by Mr. Maxwell, and that the statistics of witness under-rated the losses from disease, *Gamgee* 3037.

Report by market committee in regard to the management of the slaughter-houses, and the inspection of cattle and butcher-meat, *App.* 205–207.

3. *Number of Animals condemned in different Years:*

Average number of animals and carcasses brought to the Edinburgh slaughter-houses for the three years 1859, 1860. 1860, 1861. 1861, 1862, *App.* 210——Number of animals and carcasses suspected of being diseased in each year since 1859, and numbers of each class of animals and carcasses condemned as unsound and unfit for human food, and destroyed, *ib.*

4. *State of Health of the City:*

Communications from Dr. Littlejohn, medical officer of health, stating that no case has come under his notice in which he could trace the connection between the eating of diseased meat and ill health, *App.* 203——Rate of mortality in Edinburgh as compared with other Scotch towns, *ib.*

Epidemics. See *Foot and Mouth Disease*, 2. *Pleuro-pneumonia*, 2.

F.

Fairs and Markets. Considerations as to the practicability of applying certain remedial measures to the case of sheep sent in large numbers to special fairs, in order to prevent the sale of those suffering from the foot and mouth disease, *Gamgee* 228–239. 391–404. 425–432——Facility of applying a remedy in the case of the foot and mouth disease at such large fairs as Ballinasloe, &c., *ib.* 402–404. 588–597.

Further statement as to the regulations desirable to be enforced in markets in order to prevent the spread of disease, *Gamgee* 533–537——Expediency of inspection at the fairs and markets rather than at the railway stations; means of carrying it out, *ib.* 744. 745. 750–761. 946–953.

Examination to the effect that if a small number of sheep out of a flock of 500 or 600, on the way to market, were discovered with the foot and mouth disease, the whole flock should be stopped in order to arrest the progress of the disease, *Gamgee*, 394–397. 827–845——With regard to the detention of cattle on their way to fairs and markets, the law should limit such detention to the diseased animals only, *ib.* 914–924.

Approval of the provisions of the Bills before the Committee for the inspection of animals sent to the different markets and fairs; further precautions are very desirable in this respect, *Burge* 1020–1022. 1030, 1031.

Evidence to the effect that it is not practicable to carry out any efficient inspection at large fairs and markets, with a view to the exclusion or separation of animals with the foot and mouth disease, &c., *Simonds* 1773, 1774. 1767–1804; *Giblett* 2447. 2457; *Whitsed* 2620–2624; *Stott* 3104–3107; *Swan* 3177, 3178; *Kilbee* 3349–3356.

Disapproval of a system of inspection at large fairs, even though the animals in the more advanced stages of disease might be readily detected, *Simonds* 1848–1854. 1857–1860——Necessity, if there were a sanatorium at each large fair, of a classification and separation of diseased animals in it, *ib.* 1859——Great difficulty in obtaining any

Report, 1864—*continued.*

Fairs and Markets—continued.

efficient inspection at fairs and markets, whilst it is very inexpedient to impose any restrictions unduly interfering with trade, *Simonds* 1979, 1980. 1987–1992. 2003–2008.

Grounds for objecting to the proposed inspection at fairs and markets; illustration in the case of the Falkirk Tryst, of the impracticability of such inspection, *Maxwell* 2039–2044. 2055–2061. 2063——Decided objection to the proposed regulations as regards the foot and mouth disease, as being not only unnecessary, but impracticable, *ib.* 2039–2044. 2071–2078——Importance of a system of penalties at fairs and markets without inspection, *Whitsed* 2622–2629.

See also *Foot and Mouth Disease. Inspection. Pleuro-pneumonia. Scab in Sheep.*

Fat Markets. Witness considers that a penalty should be imposed upon persons knowingly sending cattle with pleuro-pneumonia to store markets, but that if sold in fat markets for slaughtering the penalty should not apply, *Simonds* 1967–1975. 2007, 2008; *Stott* 3030–3084. 3096–3099. 3116–3123——In the case of fat markets, inspection is not of much importance, and the prompt slaughtering of the animals is all that should be required, *ib.* 1968–1975. 2008——It might be a question about excluding foreign cattle with the foot and mouth disease unless they were for a fat market; in the latter case they should not be detained, *Maxwell* 2071–2078. 2163, 2164.

Florence. Regulations in force as regards the slaughtering of animals and the sale of meat, *App.* 199.

Foot and Mouth Disease:

1. *Origin of the Disease in this Country.*
2. *Extent to which Infectious.*
3. *Prevalence of the Disease, and Losses from it.*
4. *Question as to the Restrictions under the Cattle Diseases Prevention Bill.*
5. *Question of Restrictions under the Cattle Importation Bill.*
6. *Measures desirable for curing the Disease, or preventing its further progress.*

1. *Origin of the Disease in this Country:*

The foot and mouth disease first came to this country in 1839; prevalence of the disease in Germany at this period, *Gamgee* 64–68——Statement showing that the disease was very prevalent in this country before the importation of foreign cattle in 1846, on the removal of the previous duty of 1 *l.* per head, *Simonds* 1763, 1764——Prevalence of the disease in England before there were any foreign cattle imported; modes of origination of the complaint adverted to hereon, *Giblett* 2426, 2447. 2450. 2475–2477.

2. *Extent to which Infectious:*

Conclusion as to the foot and mouth disease being spread only by contagion, and not being epidemic, *Gamgee* 375–378. 545–548——Instance showing that the disease is not always caught as an infection, *ib.* 942——Concurrence in the views of Professor Gamgee as to the contagious character of the foot and mouth disease, *Simon* 1593.

This disease is communicable, but is not highly contagious, *Simonds* 1756——Dissent from the view that the disease is very readily taken as an infection, *ib.* 1844–1847——Witness is convinced that the disease is an atmospherical influence, *Giblett* 2426. 2450. 2475–2477——Belief as to the disease arising from atmospheric causes, and not being preventible, *Congreve* 2535, 2536. 2563——Short period in which the disease will show itself after being contracted, *Scott* 3109–3112.

3. *Prevalence of the Disease, and Losses from it:*

Evidence as to the very severe losses from the foot and mouth diseases in the year 1863, *Gamgee* 70, 71——Great loss incurred by the deterioration of animals from the disease, *ib.* 223. 224. 227. 238–243. 258——Enormous losses through the foot and mouth disease in sheep, especially when they are attempted to be travelled, *ib.* 227——Heavy loss in dairies from this disease, *ib.* 240–243——Very serious loss sustained through fat stock being attacked with the disease in London, &c., *ib.* 529–532——The disease is not very injurious in the case of young store cattle, *ib.* 531.

Experience of witness in regard to the removal of cattle from his district in an incurable state through the foot and mouth disease, *Burge* 1072. 1165–1172. 1228–1230——The disease is not a severe one, and rarely proves fatal, *Simon* 1596, 1597; *Simonds* 1870, 1871——Less prevalence of the foot and mouth disease than in some former years, *Simonds* 1752–1755——The disease is very rarely fatal, and the meat is not considered injurious to health, *Maxwell* 2044.

Diminution of the disease, Hamburgh being the only port from which it comes, *Simonds* 2330–2332——Very slight diminution in the value of an animal, through being suffering from the foot and mouth disease, *Giblett* 2427–2429. 2447. 2458–2464——Much less prevalence of the disease in cattle from abroad than from Scotland; it is gradually dying out, *ib.* 2451, 2452. 2470–2474.

4. *Question*

Report, 1864—*continued.*

Foot and Mouth Disease—continued.

4. *Question as to Restrictions under the Cattle Diseases' Prevention Bill:*

Suggestions for preventing the sale of animals suffering under the disease, and for checking the spread of the disease in the case of animals on their way to fairs, or after their arrival there, *Gamgee* 228–239. 380–404. 425–432. 588–597. 827–845.

Opinion that the foot and mouth disease should be excluded from the schedule of each Bill before the Committee, *Simonds* 1777, 1778. 1911–1917. 1932——Question of excluding animals under the foot and mouth disease from the markets adverted to, with reference to the effect upon the market supply generally, and the price of meat, *ib.* 1838–1843.

Objections to the foot and mouth disease being included in the schedule of either of the Bills before the Committee; impracticability of dealing with this disease by legislation, *Maxwell* 2039–2044. 2071–2078. 2135*–2141——Very decided objection of the farmers and graziers to the restrictions in the Diseases' Prevention Bill on the subject of the foot and mouth disease; immense loss and injury to be inflicted thereby whilst the price of meat would be largely enhanced, *Congreve* 2502–2504. 2532–2536. 2571–2582——The foot and mouth disease should be withdrawn altogether from the Diseases' Prevention Bill, *Whitsed* 2608, 2609.

Resolution of the Committee on 14th June that the foot and mouth disease be omitted from the schedule of the Cattle Diseases Prevention Bill, *Rep.* ix.

5. *Question of Restrictions under the Cattle Importation Bill:*

Decided objections to the restrictions proposed in the Bill on the subject of this disease, and the import of animals affected with it, *Simonds* 1757–1762. 1777, 1778. 1908–1924——Objection by the importers to the foot and mouth disease coming at all within the operation of the Importation Bill; grounds for this objection considered, *Hönck* 2186–2201. 2237–2244——Constant outbreak of the foot and mouth disease during the voyage from foreign ports, *ib.* 2198. 2259, 2260.

Witness considers the foot and mouth disease most formidable and contagious, and strongly objects to its exclusion from the Bill, *Simmonds* 2333–2335. 2413, 2414——Increased import of cattle with the disease if all restrictions were removed, *ib.* 2333. 2368–2370. 2391, 2392——Instead of, as at present, detaining the whole of the beasts, when any of them have the disease, those only under the disease should be detained, *ib.* 2335–2338. 2367, 2368——Danger of infection of store cattle, if foreign cattle with the foot and mouth disease were allowed into the markets, *ib.* 2371–2373. 2387–2392. 2398–2414.

Decided objection to the proposed restrictions, as well as to the existing restrictions, upon import of foreign cattle in regard to the foot and mouth disease, *Giblett* 2426–2432. 2450 *et seq*——Illustrations of the great losses inflicted upon importers under the present system, *ib.* 2430. 2450. 2453. 2456——The disease should be excluded from the Cattle Importation Bill, *ib.* 2450——Approval, however, of any very bad cases in a foreign cargo being detained, whilst the rest of the cargo should go on, *ib.* 2465–2469.

Satisfaction expressed with the removal by the Committee of the foot and mouth disease from the Home Bill; doubt whether it should be struck out also from the Importation Bill, *Swan* 3205–3208——Objection to foreign cattle with the foot and mouth disease, being excluded from the Metropolitan Cattle Market, except in very isolated cases, *Tegg* 3219–3228. 3245–3247.

Only those animals actually affected with disease on arrival should be detained, *Rep.* v.

6. *Measures desirable for curing the Disease or preventing its further Progress:*

Consideration of the measures which might be adopted in the case of transit, or upon arrival at market, when suffering from the foot and mouth disease, *Gamgee* 227–239. 380–390. 424——Importance of animals not being travelled when under the disease, *ib.* 227, 228——Means for checking the losses from the disease in dairies, *ib.* 256, 257——Advantage of proper precautions at an early stage of the disease; speedy cure thereof, *ib.* 379–386.

See also *Dairy Cows. Fairs and Markets. Foreign Cattle. Inspection. Meat of Diseased Animals. Milk. Price of Meat. Railway Conveyance. Slaughter-houses.*

Foreign Cattle:

1. *Particulars as to the Amount of Disease in Foreign Cattle imported, and the Number of such Cattle Imported and Condemned.*
2. *Considerations as to the present Restrictions upon the Import of Foreign Cattle, and as to a Relaxation thereof.*

1. *Particulars as to the Amount of Disease in Foreign Cattle imported, and the Number of such Cattle imported and Condemned:*

Effect of the importation of foreign stock in largely increasing the loss from disease, *Gamgee* 54–56——Prevalence of disease in those places where cattle are bought and are

Report, 1864—*continued.*

FOREIGN CATTLE—continued.

1. *Particulars as to the Amount of Disease in Foreign Cattle, &c.*—continued.

imported, *Gamgee* 104. 108, 128, 129——Large increase going on in the import of foreign cattle, *ib.* 130–132——Frequent purchases of diseased cattle abroad for the purpose of sending them to this country, *ib.* 724–728.

General absence from disease in the case of foreign cattle imported to Scotland, *Maxwell* 2081. 2152——The foreign cattle sent to Scotland have been very free from disease, *Swan* 3141. 3207, 3208.

Statistics of the number of oxen, sheep, pigs, &c., imported into this country in 1842, and subsequent years; progressive increase, *Simmonds* 2304–2307——Large majority of the imported cattle which come to the port of London, *ib.* 2308–2313——Improvement in the condition of the imported animals, *ib.* 2314, 2315.

Number of imported animals, of different kinds of animals detained and slaughtered in the port of London in 1863, and proportion of these which turned out fit for food, *Simmonds* 2323–2325——Few diseases generally from any port but Hamburgh, *ib.* 2330–2332. 2343.

Large portion of the foreign animals condemned, which is attributable to damage by the sea voyage, *Giblett* 2479, 2480——Very little disease among the foreign cattle at the Metropolitan Cattle Market, *Tegg* 3242–3244.

Account of the number of cattle, sheep and swine imported into the United Kingdom in each year from 1842 to 1863, inclusive, *App.* 218——Return showing the number of foreign cattle detained and slaughtered in the port of London in the years 1859-63, and the proportion condemned as unfit for food, *ib.*

2. *Considerations as to the present Restrictions upon the Import of Foreign Cattle, and as to a Relaxation thereof:*

Importance of a more efficient inspection in the case of cattle on arrival at Harwich and London from Rotterdam, *Gamgee* 755–758. 809–813——Advantage if all cattle imported into this country were carefully inspected, and if diseased animals were separated and excluded, *Letheby* 1403. 1413–1415.

Evidence on the subject of the restrictions in regard to imported cattle, and the respects in which too stringent, *Simonds* 1908–1924; *Hönck* 2177 *et seq.*——Witness represents the views of the cattle importers in the port of London, and submits a copy of resolutions recently agreed to at a meeting of importers and salesmen, *Hönck* 2177–2182——Effect of the present stringent regulations in diminishing the import of foreign cattle, on account of the loss to which the importers are subject, *ib.* 2188–2195. 2254–2256——Amendment suggested in regard to the importer or salesman being liable to a penalty in respect of diseased cattle from abroad, *ib.* 2229–2236——Very exceptional importation of cattle or sheep for store purposes, so that the danger of infection is not great; the imported animals are in fact killed shortly after their arrival, *ib.* 2238–2277.

Instances of witness having been ordered to take steps for preventing the import of animals with infectious disease into London, *Simmonds* 2316–2321.

Disapproval of any restriction upon the import of foreign cattle, except in the event of small-pox or some similar disease, *Kilbee* 3575–3581.

Orders in council relative to the inspection of foreign cattle in the port of London, *App.* 214–216.

Suggestion by the Committee that the regulations now in force at the port of London should in certain respects be relaxed, *Rep.* v——Only those animals actually affected at the time with pleuro-pneumonia, scab, or foot and mouth disease, should be detained or slaughtered, *ib.*

See also *Cattle Importation Bill. Foot and Mouth Disease. Inspection*, 1. *Leith. "Leo," The. Pleuro-pneumonia. Rinder-pest. Scab in Sheep. Small-pox in Sheep.*

Foreign Countries. Particulars as to the several foreign countries whence cattle are furnished to England in a diseased or healthy state respectively, *Gamgee* 133–146——Satisfactory regulations in Austria, Switzerland, and other continental countries, for preventing the spread of disease, *Letheby* 1403. 1416–1418. 1908. 1943–1945——Regulations abroad for preventing the spread of pleuro-pneumonia, and foot and mouth disease, but without being effectual, *Simonds* 1736. 2015–2019——Much less prevalence of pleuro-pneumonia abroad than in former years, *Hönck* 2217.

Copies of the regulations in force in different continental countries and cities, as regards the slaughtering of animals and the sale of meat, *App.* 197–200.

France. System of veterinary surgeons in France, &c. for inspecting the slaughter-houses, fairs, and markets, *Gamgee* 678–681. 686–700——Law of France in regard to the warranty of animals, and the liability of vendors of diseased cattle, *ib.* 701–709——Size of the farms in France, as compared with England, *ib.* 899–905.

See also *Paris.*

G.

Gamgee, Professor John.—(Analysis of his Evidence.) Is Principal of the new Veterinary College at Edinburgh; has for several years devoted considerable time and study to the subject of cattle diseases, 1–4——Has prepared reliable statistics as to the number of cattle lost by disease, such statistics being founded chiefly upon information derived from insurance companies, 4. 10–16. 24–35——Conclusion that the loss by diseased cattle is at least five per cent. upon the whole number, even in Scotland, where there is less disease than in England or Ireland, 5–25.

Reference to the operations of three cattle insurance companies throughout the kingdom, as not only exhibiting a large annual mortality of cattle from disease, but as showing also the heavy money loss incurred thereby, 14–45. 54—— The cattle insurance of the country, is now conducted chiefly by two companies, one at Nottingham, and the other at Norwich, 46——Statistics as to the diseases from which cattle die; about fifty per cent. of the whole loss is from pleuro-pneumonia, 47–55.

Effect of the importation of foreign stock in largely increasing the loss from diaeses, 54–56—— First appearance of pleuro-pneumonia about the beginning of 1840, when it seems to have been introduced into Ireland by Dutch cows, 57–63—— It did not appear to any extent until after July 1842; 57—— The foot and mouth disease first came to this country in 1839; prevalence of the disease in Germany at this period, 64–68—— Witness's experience entirely confirms that of the insurance companies as to the extent of the loss from disease, 69–71.

Evidence as to the very severe losses from the foot and mouth disease in the year 1863; 70, 71——Information with reference, more especially, to the losses in dairies, in large cities; great mortality from the foot and mouth disease, and from pleuro-pneumonia, 71 *et seq.*—— Large number of dairy cows sold in a diseased state to butchers in London, Edinburgh, Dublin, &c., 74–81. 93–101——Great number of diseased cows sold from the Edinburgh dairies; information received on this score from several dairymen and cow-dealers, 79–81—— Witness has charge of many dairies, including Mr. Harvey's, at Glasgow, where there are 1,700 cows; this is the largest in the world, 82–88—— Equally large loss of dairy cows in other large towns besides Dublin and Edinburgh, 99, 100.

Importation of disease to Ireland through the trade in English calves, the management of calves in Ireland not being good, 101–103——Healthy character of those districts where breeding alone is carried on, 104. 108. 122. 128, 129——Prevalence of disease in those places where cattle are bought and are imported, 104. 108. 128, 129—— Statement of the losses in Ayrshire, from various causes, in 1852, 1853, and 1854; 104–106——Peculiar prevalence of cattle disease in Cheshire, 106–110——Less disease and less loss among a number of cattle in town dairies than among a similar number in country dairies, 111–127.

Large increase going on in the import of foreign cattle, 130–132——Particulars as to the several foreign countries whence cattle are furnished to England in a diseased or healthy state, respectively, 133–146——The largest amount of disease now comes from Prussia, 134——Immense amount of diseased cattle also imported from Holland, 134, 135—— Greater losses on the continent of Europe than on the islands, the latter having formerly not imported, 136.

Considerable number of diseased cattle sent from Ireland to England, 139–146—— The loss is about five per cent. in Scotland, 147——In England it is about six per cent., 147–149—— And in Ireland about seven per cent., 147——The most fatal disorder has been pleuro-pnuemonia; this is on the whole about stationary, 150–152——Means adopted by witness for checking the spread of pluero-pneumonia, or for curing cows actually suffering from it; reliance placed chiefly on inoculation in the former case, 153–165. 177.

Importance of thorough separation in the early stage of pleuro-pneumonia, 154. 161. 182–186——Very contagious character of pleuro-pneumonia, 158–160. 170–173——Decided objection to animals being much moved about, or made to travel by road or rail, when once attacked with the disease, 165–173. 178–186. 332——Very careless and incautious practice in the removal of diseased animals by railway; suggestions hereon, 168–176. 178–180——Frequency of infected stock being sent by railway to Glasgow, &c., and sold to butchers there, 179, 180 ——Expediency of insisting upon the separation, or the removal to some slaughter-house, of animals attacked with pleuro-pneumonia in town dairies, whilst removal should not be enforced in the case of country dairies or farms, 181–186.

Grounds for the conclusion that the meat of animals killed in the various stages of pleuro-pneumonia is decidedly unwholesome, and has induced a considerable amount of disease, 187–208——Great numbers of cattle killed whilst under the disease, and sold and consumed in Edinburgh, Dublin, London, &c., 200–222——Probable check to the disease if there were an effectual check upon the sale of live stock in a diseased state, 209–211——Want of a better check at Edinburgh upon the sale of diseased meat, 212–431—I.

Report, 1864—*continued.*

Gamgee, Professor John. (Analysis of his Evidence)—*continued.*

217——Enormous quantitities of diseased meat sold in London and round the suburbs, 218-222.

Great loss incurred by the deterioration of animals from the foot and mouth disease, 223, 224. 227. 238-243. 258——Importance of animals not being travelled when under this disease, 227, 228——Suggestions for preventing the sale of animals suffering under the disease, and for checking the spread of disease in the case of animals on their way to fairs, or after their arrival there, 228-239——Heavy loss in dairies from this disease, 240-243——Evidence as to the communication of the disease to persons using the milk of the diseased animals; poisonous property in the milk adverted to hereon, 244-255. 259——Means for checking the losses from the disease in dairies, 256, 257——Evil results do not, as a rule, follow from using the meat of animals killed when under the disease, 259.

Several forms of disease embraced under anthrax; this disease is widely prevalent, but is not due to contagion, 261-266——Peculiarly injurious character of the meat of animals who have died from anthrax; instances of loss of life therefrom, 267-271.

Very contagious character of small-pox in sheep; it is, however, very rare in this country, 272, 273. 275-278——Sugested prohibition upon foreign sheep being sold as store sheep in England, as the best means of preventing the introduction of the small-pox in sheep, 274——Rigorous regulations desirable in the event of the small-pox breaking out in any district, 278-281.

Great prevalence of the scab in sheep since the extensive travelling of sheep by railway trucks, 282. 284——Great numbers of sheep killed through the use of mecurial ointment in dressing them for the scab; prejudicial effect also upon the character of the meat, 282. 285-298——Interference is loudly called for as regards the scab in sheep; facility of preventing or curing it, 283. 295-297.

With respect to pig diseases, the parasitic diseases are peculiarly prejudicial to persons consuming the meat of the diseased animals, 299-310——Cause of tapeworm, or the fleshworm in man, by the use of under-done meat, especially pork, in which the parasitic animals have not been destroyed, 300-310——Large number of diseased or measly pigs in Ireland, 300, 301. 313——Difficulty as to the symptons from which to judge as to pigs having the parasitic diseases, 312.

Exceedingly unsatisfactory state of the dead-meat market in Edingburgh; between 100 and 200 diseased cattle are sold there weekly, 314——Approval of a suggestion by Dr. Letheby as to the mode of disposing of animals condemned as unfit for food, 315——Expediency of the suppression of piggeries in or near all large towns, and of a prohibition upon the use of diseased dead animals and of all raw meat in piggeries, 315-322.

With regard to pleuro-pneumonia, it exists in cattle in as violent and destructive a form as it has ever done, 324, 325——There is no necessity for any pleuro-pneumonia at all if proper preventive measures be adopted, 326-329. 333. 361. 366——Illustrations of the exceedingly infectious character of this disease, 329-331——Probable proportion of animals under the disease which may be cured by prompt and proper treatment; way in which these should be dealt with, 333-339.

Facility of ascertaining by oscultation the existence of pleuro-pneumonia at an early stage; the animals should be killed at this stage, before they become unfit for food, 339-350——Conditions under which the meat of animals attacked with this disease might be allowed to be sold for food, 348-351. 421-423——It should be compulsory on farmers to exclude from any herd and to destroy the first animal discovered as suffering from the disease, 339. 348-351. 361-364——Apparently excellent character of the meat of animals where there has been an outbreak of splenic apoplexy, whereas really it is most injurious to health, 352-360.

Effectual protection against the spread of pleuro-pneumonia if proper measures be promptly taken after the first outbreak, 361-366——Further statement as to the large removal of deceased cattle by railway, as from Scotland to England, and as to the spread of disease thereby, 367-374——Contagious character of the foot and mouth disease, further adverted to, 375-378——Advantage of proper precautions at an early stage of the foot and mouth disease; more speedy cure thereby, 379-386——Further consideration of the measures which might be adopted in the case of cattle in course of transit, or upon arrival at market, when suffering from the foot and mouth disease, 380-390. 424.

Considerations also as to the practicability of applying certain remedial measures to the case of sheep sent in large numbers to special fairs, in order to prevent the sale of those suffering from the foot and mouth disease, 391-404. 425-432——Very improper practice in the removal of calves from England to Ireland, so that on their arrival they are in a very unhealthly and diseased state, this might readily be prevented, 404-407——As regards anthrax diseases the precautions should apply mainly to a prevention of the meat being sold, 408-410.

Expediency of preventive measures being adopted with reference to the importation of cattle having the contagious typhus, or Russian plague, 411-413——Importance of very stringent laws with regard to the sale of diseased meat, 414——Inadequacy of the system of inspection of dead meat unless accompanied with preventive measures, as regards the sale

Report, 1864—*continued.*

Gamgee, Professor John. (Analysis of his Evidence)—*continued.*

sale of diseased live stock, 415–423——Prevalence of pleuro-pneumonia in Holland adverted to with reference to the mode or causes of its introduction there, 433–436.

[Second Examination.]—Consideration of certain exceptions taken as regards witness's calculation that the loss of cattle by disease averages five per cent. for the kingdom generally; reliance to be placed upon this average, 437–451——Frequent instances of insurance companies having refused to take infected districts, 442–446. 453——Equal fatality of pleuro-pneumonia as in former years; that is, whenever it now occurs, 452——It must not be inferred that there is now very little disease, because the insurance is limited, 453, 454.

Large number of diseased cattle in the Edinburgh slaughter-houses, further adverted to; inefficient inspection of these places, 455–463——Witness's information as to the state of the Edinburgh dairies was not all obtained by himself directly, 464, 465——Further statement as to the very short period of retaining cows in town dairies generally, before they are sold as being diseased, 466–470——Healthy character of the breeding districts further adverted to, 471, 472——Considerable amount of pleuro-pneumonia in Ayrshire lately, 472–474.

Long period of incubation of the pleuro-pneumonia disease, 475——Expediency of the vendor being held liable in the event of cattle sold by them dying within a month, 476–481——Approval of animals being killed by purchasers in towns as soon as the disease is detected, although it would be better if they were destroyed before being sent into the towns, 482, 483——Further evidence as to the great importance of inoculation; witness has done it extensively, and with excellent results, 484–499——Rare instances of pleuro-pneumonia being taken a second time by the same animal, 498——Importance of careful separation, and of all practicable preventive measures being adopted, 499–505. 533–537.

Expediency of diseased animals on their way to the towns being arrested and destroyed as soon as it is discovered that they have pleuro-pneumonia, it being left to competent authorities to determine whether the meat was fit for food, 506–520——Relative effect of the disease in towns and in the country, and upon younger and older animals respectively, 521–526——Heavy per-centage of loss in Ireland further adverted to, 527, 528.

Very serious loss sustained through fat stock being attacked with the foot and mouth disease in London, &c., 529–532——This disease is not very injurious in the case of young store cattle, 531——Further statement as to the regulations desirable to be enforced in markets in order to prevent the spread of disease, 533–537——Great loss of sheep in Lincolnshire through the use of mercurial ointment for scab, further adverted to, 538–541. 583–587——Tobacco juice is one of the remedies which may be used for scab, 542–544.

Conclusion as to the foot and mouth disease being spread only by contagion, and not being epidemic, 545–548——In the event of diseased cattle in any truck in a railway train, witness would stop this truck, but would not prevent the rest of the train or cattle from going on, 549–553——Prevalence of disease in Friesland, in Holland, further adverted to, 554, 555——There is no doubt but diseased meat is largely consumed in the suburbs of London, 556, 557——In the case of death, during the period of incubation, of pleuro-pneumonia, the meat would not, as a rule, be unfit for food, 555–560.

Grounds for concluding that the insurance statistics of loss are below the actual average loss, 561–573——Infectious character of the hooze disease, as found in sheep and cattle, 574, 575——Causes of the abortion disease; extent to which infectious, 576–579——Regulations desirable in regard to the washing of railway trucks in which there have been diseased cattle, 580–582. 746–749——Facility of applying a remedy in the case of the foot and mouth disease, at such large fairs as Ballinasloe, &c., 588–597——Distinction to be made in dealing with diseases which render meat unfit for food, and diseases which merely cause loss to the owners of the animals, 598–602.

Information relative to, and decided approval of, the system in Belgium, whereby cattle are only slaughtered in public slaughter-houses, and are subject to efficient inspection before admission; way in which the diseased animals are dealt with, 603–631——Size of the farms in Belgium; many of them are very small, 616–619. 738, 739. 890–898——Efficient regulations also in Holland in order to prevent the sale of diseased meat, 628–630——Very strict inspection and regulations in Prussia with regard to slaughter-houses, dead-meat markets, &c., 632–636. 677, 678. 687–700——Regulations in Austria in regard to the sale of cattle-meat which has been diseased, 637–639. 678–681.

Particulars relative to the regulations in Paris for the dead meat market and slaughter houses; very efficient inspection exercised, 640–652——Arrangements in Prussia and other foreign countries in regard to the transit of diseased animals; check upon diseased cattle crossing the frontiers into Prussia, whilst quarantine is exercised in the case of diseased animals in the country, 653 *et seq.*——System of veterinary surgeons in France, &c., for inspecting the slaughter houses, fairs, and markets, 678–681. 686–700——Law of France in regard to the warranty of animals, and the liability of vendors of diseased cattle, 701–709.

Report, 1864—*continued.*

Gamgee, Professor John. (Analysis of his Evidence)—*continued.*

Importance of Government at once exercising a proper supervision; how this is to be carried out, 710-712——Suggestions as to there being a warranty attached by law to all sales of cattle and sheep for a limited number of days, 713-723——Frequent purchases of diseased cattle abroad for the purpose of sending them to this country, 724-728——Entire inadequacy of the inspection in London, 728——Advantage of a liability in the vendor, in cases where there are cattle dealers or jobbers between the original sellers and the purchasers or butchers, 729-735.

With regard to the detention of diseased animals at railways, the check should not be exercised by any officer of the railway company, 736, 737. 761——Further consideration of the question of injury during transit by road and railway respectively, 740-743——Expediency of inspection at the fairs and markets rather than at the railway stations, 744, 745. 750-761——Importance of a more efficient inspection in the case of cattle on arrival at Harwich and London from Rotterdam, 755-758. 809-813——Statement as to the value of the carcases of condemned animals, when sold for piggeries, manure, &c., 762-770.

Reference to the quantity of dead meat coming into London in the course of the year, and the chief places at which sold, 771-781——Considerable number of private slaughter houses in the metropolis, all of which should be abolished, 782-789——Witness would have four or five large abattoirs, with inspectors attached, 790-794——Further statement as to the system of inspection in Paris; understanding that meat paying the octroi duty is inspected, 795-808.

Explanation as to the unusually large amount of disease in Holland and Prussia, notwithstanding the precautions taken in those countries, 816-822——Practice in Paris of dealing with animals that have died from the foot and mouth disease, 823-826——Examination to the effect that if a small number of sheep, out of a flock of 500 or 600, on the way to market, were discovered with the foot and mouth disease, the whole flock should be stopped in order to arrest the progress of the disease, 827-845.

Further considerations as to the practice to be pursued when there are some cases of pleuro-pneumonia out of a large number of cattle being conveyed by railway; the trucks with diseased cattle should alone be stopped, 846-869——Grounds for the statement that a considerable portion of the cattle arriving from Ireland is diseased, 870-879——Much smaller loss by disease before the year 1839, and the introduction of pleuro-pneumonia, 880-889——Size of the farms in France as compared with England, 899-905.

Immense loss by disease in Austria, as well as Prussia, 906——Strict inspection on the Prussian frontier further adverted to; there is not equal strictness in regard to cattle leaving the country, 907-912——Further statement in favour of the seller being answerable for a certain period (three weeks) in the event of pleuro-pneumonia breaking out; difficulties hereon considered, 913. 925-939——With regard to the detention of cattle, the law must limit such detention to the diseased animals only, 914-924——Frequency of cattle from Ireland catching the foot and mouth disease in the steamboats, 941, 942——Instance showing that this disease is not always caught as an infection, 942.

Effect of boiling the milk of cows with foot and mouth disease, that the poison is destroyed, 943-945——Way in which the inspection might be carried out at very large fairs, such as Weyhill, 946-953——Diminished difficulty of inspection if the steamers, railway trucks, and markets were properly cleansed, 954-956——Total effects which may arise from the use of badly diseased meat, further adverted to; less danger on account of the process of cooking, 957-962.

Absence generally of any injurious after effects consequent upon pleuro-pneumonia; instances, however, of such effects, 963-966——Strict precautions taken in Switzerland, 967, 968——Diminution of the number of diseased animals sent to market, if it were known that there were an inspector appointed to each market, 969, 970——Great difficulty, frequently, in judging from the dead meat whether the animal died of disease, or whether the meat is fit for food, 971-983. 988——Practice of the Jews in order to ensure that the animals used by them are not diseased, 984-988.

Inspection of the animals in Paris before they are slaughtered, as well as subsequently, 989-991——Careful statistics in Prussia in regard to disease in cattle; these show an immense decrease of pleuro-pneumonia in Mecklenburgh and Bavaria, 992-999——Reference to the statistics of Holland as also showing a decrease of pleuro-pneumonia in some districts, 1000-1006——Butchers must know whether they slaughter diseased meat, and should be held responsible for the sale of it, 1008, 1009——Liability of inspectors of live cattle to make mistakes upon the question of the cattle being diseased, 1010-1013.

[Third Examination.]—Detailed statement opposed to the evidence of Mr. Hall Maxwell, in which witness's statistics of mortality in the Edinburgh dairies are sought to be controverted, 2654 *et seq.*——Statement in support of witness's former evidence, as to his statistics having been based upon information supplied by the dairymen, 2655-2681——Statement in support of the conclusion that a large number of the dairymen who signed the

Report, 1864—*continued.*

Gamgee, Professor John. (Analysis of his Evidence)—*continued.*

the document submitted by Mr. Hall Maxwell, did so without knowing anything of the statistics which they were called upon to condemn, 2676-2691. 2697-2698.

Grounds for a former statement that several cowdealers corroborated the details obtained from the dairymen; Mr. Prentice and Mr. Martin were two of these, 2692-2694——Remarks in support of former evidence as to the reliance to be placed on insurance statistics, 2695, 2696.

[Fourth Examination.]—Further evidence to the effect that information was obtained by witness or his assistants from several of the Edinburgh dairymen who signed the document produced by Mr. Maxwell, 2979 *et seq.*——Information obtained from the wife of a dairyman named Simpson, 2992-3003——Also from Mr. John Martin, cowdealer, 3004-3006——General character of the information obtained from the cowdealers, 3006, 3007. 3011. 3024-3030.

Communication recently received by witness from Mr. Robertson, solicitor at Edinburgh, to the effect that Mr. John Prentice admitted having discussed with witness the subject of disease in the dairies, 3011-3013——Letter also from Mr. Robertson in confirmation of witness's evidence as to the information derived from dairymen, and as to the prevalence of disease at the present time, 3014.

Information obtained by witness from John Niven, dairyman, though the latter has since denied giving him any, 3017-3023 — Statistical nature of the information obtained by witness or his assistants from the dairymen, 3031-3037——Letter from Major Mair, of the Edinburgh Town Council, stating that the Town Council repudiated the statistics submitted by Mr. Maxwell, and that the statistics of witness underrated the losses from disease, 3037.

Examination upon certain letters, produced by the Committee, being denials by Mr. Prentice, Mr. Martin, Mr. Simpson, and others, of witness's statements as to their having furnished certain information in regard to the losses by disease, 3045-3057——Reference to a letter from Mr. Haddow, in regard to the part taken by him in connexion with witness's statistics; witness considers himself alone responsible for the facts stated, having made the best possible inquiry in the matter, 3058-3065.

Nature of witness's professional services in respect of Mr. Harvey's stock at Glasgow; letter hereon from Mr. Harvey, stating that witness has never been in charge of the dairy, 3066-3070 —— Belief that witness's report to the Privy Council, as regards the quantity of diseased dairy cows sold at Edinburgh, is under the mark, 3071, 3072 ——Reference to and production of correspondence between Mr. Hall Maxwell and witness, on the subject of the statistics in question, 3073, 3074—— Witness courts further inquiry, and would gladly see Mr. Harvey, Mr. Haddow, and others, examined before the Committee, 3074, 3075.

Garnett, Samuel. (Analysis of his Evidence.)—Has had considerable experience as a grazier in Ireland; represents the grazing interest of Leinster, 3838-3843——With regard to a public meeting in Dublin on the subject of the Cattle Diseases Prevention Bill, the provisions of the Bill were fully laid before the meeting, 3844-3850——Witness considers that the Bill would be most injurious to the cattle trade of Ireland, 3851-3853. 3883.

Grounds for concluding that pleuro-pneumonia is not infectious at all, 3854. 3875-3877. 3910-3915——Instance in witness's case of the means of purchasers for recovering from vendors when the latter sell animals known to be diseased, 3855-3857. 3881——Witness sends his cattle to England *viâ* Liverpool; he objects to railway transit and never sends to Holyhead, 3858-3861——Rare instances of pleuro-pneumonia in Ireland, 3862——Circumstance of witness having frequently purchased scabby sheep, as being generally free from liver disease; he has got them at a reduced price, 3863-3866. 3871-3874. 3916-3918.

Way in which dairy cattle are very liable to the lung disease, 3867-3870——Views of the grazing interest of Leinster in unanimous disapproval of the Bill, 3878——Objection to any penalty for wilfully sending diseased cattle or scabby sheep into the markets; sufficient check at present upon abuse in this respect, 3879-3890——Practice in Ireland of at once sending cattle with pleuro-pneumonia to be slaughtered, 3891-3893. 3903, 3931. 3940, 3941.

Much more injurious and destructive character of the liver disease in Irish sheep than of scab, 3894-3907——Great facility of curing scab in sheep, 3898-3932——Further objection generally to the restrictions in the Bill in regard to cattle with pleuro-pneumonia or scabby sheep being sent to market, or from Ireland to England, 3919-3941.

Giblett, John. (Analysis of his Evidence.)—Has had a very large and long experience as a cattle salesman in London, 2415-2418——Small number of beasts sold at the London cattle markets for store purposes, 2419-2423——Very few sheep are sold in the London market for stores, 2424, 2425—— Decided objection to the proposed restrictions, as well as to the existing restrictions, upon the import of foreign cattle in regard to the foot and mouth disease, 2426-2432. 2450 *et seq.*——Prevalence of foot and mouth disease in England before there were any foreign cattle imported; modes of origination of the complaint adverted to hereon, 2426. 2447. 2450. 2475-2477.

Report, 1864—*continued.*

Giblett, John. (Analysis of his Evidence)—*continued.*

Approval of a penalty for wilfully sending to market cattle having pleuro-pneumonia or the lung disease in a bad state, 2433–2437. 2481–2486——The inspector should have power to cause the destruction of animals having the pleuro-pneumonia, 2437, 2438——There might be an appeal to the Veterinary College, 2438——Considerations as to the regulations desirable in the case of scab in sheep; conditions under which a penalty might be inflicted for sending scabby sheep to markets and fairs, whilst as store sheep they should be entirely excluded, if practicable, 2439–2447. 2478. 2487–2495.

Impracticability of the proposed legislation about the foot and mouth complaint in the case of large fairs and cattle shows, 2447. 2457——Approval of strict regulations in regard to smallpox, 2448——Entire fitness for food of animals killed under the foot and mouth disease, 2450. 2458–2464——The disease should be excluded from the Cattle Importation Bill, 2450——Much less prevalence of the disease in cattle from abroad than from Scotland; it is gradually dying out, 2451, 2452. 2470–2474——Approval, however, of any very bad cases in a foreign cargo being detained, whilst the rest of the cargo should go on, 2465–2469——Large portion of the foreign animals condemned, which is attributable to damage by the sea passage, 2479, 2480.

Glanders. Importance of enlarged restrictions upon the sale of glandered animals, *Simonds* 1780. 1804–1808. 1896, 1897. 1905–1907. 1955–1958——Approval of strict regulations in the case of glanders in horses, *Kilbee* 3539–3542. 3580. 3593, 3594.

Glasgow. Great loss of dairy cows in Glasgow from the foot and mouth disease, *Gamgee* 71.

Instances at Glasgow of the condemnation of meat through incorrect inspection; defects of the present system of inspection adverted to hereon, there not being, moreover, any power of appeal, *Duncan* 2705–2718, 2780–2783. 2795–2800. 2829, 2830——A veterinary surgeon is now called, and it is his condemnations that are objected to, *ib.* 2705–2710. 2780–2782. 2795–2798——Approval of inspection by experienced butchers, as was formerly the case, *ib.* 2709. 2798–2800.

Statement explanatory of the system of inspection of slaughter-houses and meat markets, *App.* 204.——*See* also *Harvey, Mr.* *Liability of Vendors.*

Graziers. Statement that the main objection of farmers and graziers to the Cattle Diseases Prevention Bill arises from provisions relative to the foot and mouth disease; they do not regard the Bill as of any use to them, *Congreve* 2502–2504. 2532–2536. 2540. 2571–2582 2591–2598. 2600——General opinion in the grazing trade as to the proposed restrictions in the Diseases Prevention Bill being not only unnecessary, but an interference with trade; they do not, in fact, want the Bill at all, *Kilbee* 3365–3371. 3497–3499. 3539–3545——Views of the grazing interest of Leinster in unanimous disapproval of the Bill, *Garnett* 3878.

H.

Hamburg. Infinitesimal amount of disease in the cattle imported into Leith from Hamburg, *Maxwell* 2081. 2152——Hamburg is the only port from which the foot and mouth disease now comes to London. *Simmonds* 2330–2332.——Few diseases generally from any port but Hamburg, *ib.* 2343.

Harvey, Mr. (*Glasgow*). Statement by Mr. Harvey, of Glasgow, who has 1,700 cows, that he lost enormously by the foot and mouth disease, *Gamgee* 71——Witness has charge of many dairies, including that of Mr. Harvey, which is the largest in the world, *ib.* 82–88.

Peculiar system adopted by Mr. Harvey of Glasgow, in regard to the voluntary infecting of his cows when young, *Maxwell* 2111, 2112.

Nature of witness's professional services in respect of Mr. Harvey's stock at Glasgow; letter hereon from Mr. Harvey stating that witness has never been in charge of the dairy, *Gamgee* 3066–3070.

Health. See *Meat of Diseased Animals.*

Higgins, James. (Analysis of his Evidence.)—Is Inspector of Meat and Slaughter-houses at Leeds; does not interfere with live cattle, 2831–2839——Has condemned large quantities of diseased meat; particulars hereon, 2840–2842. 2867——Very large number of cattle affected with pleuro-pneumonia in the country round Leeds, and sent to Leeds to be slaughtered under inspection; returns on this subject, 2842. 2855–2867——Condemnation by witness of the meat of animals suffering under pleuro-pneumonia in an advanced stage, there being several symptoms for guidance, 2843–2845. 2848–2851.

Expediency of cattle with pleuro-pneumonia being excluded from the live markets, the disease being infectious, 2846–2848——Suggestion in regard to farmers being allowed to send diseased animals to some place set apart for the slaughter of such animals under inspection, as at Leeds, 2852–2855——Number of carcases of diseased animals examined by witness at Leeds, and proportion condemned as unfit for food, 2867——About one-fourth

Report, 1864—*continued.*

Higgins, James. (Analysis of his Evidence)—*continued.*

fourth of the meat of cattle under pleuro-pneumonia has been condemned as unfit for food, 2867–2869——Instances of the injurious effects of the milk of cows suffering from the foot and mouth disease, 2870.

Extensive practice in the neighbourhood of Leeds of sending diseased carcasses direct to London and other large towns, 2871–2875——Advantage at times in inspectors having the assistance of professional men, 2876, 2877——Extent of witness's duties as inspector of slaughterhouses and butchers' shops at Leeds; belief that the inspection is efficient, and that no diseased animals are killed or disposed of without his knowledge, 2878–2883. 2909–2918. 2941–2950——Appeal from witness's decision to three respectable butchers, 2884–2886——Witness has the option of calling in the aid of a medical man at any time, 2886, 2887. 2951, 2952——Course adopted in the disposal of the condemned meat; value of the carcasses, 2888–2897.

Very few diseased animals sent to the live markets, on account of the system of inspection, 2898——Means of butchers for detecting whether animals are diseased, 2899–2901——Approval of restrictions as regards scabby sheep, and of their being excluded from live markets, 2902–2908——Greater prevalence of disease than in former years; decrease at Leeds during the present year, 2904, 2905. 2939, 2940——Large proportion of diseased cattle which have pleuro-pneumonia, 2919, 2920——State of the carcasses, and appearance and condition of the meat, by which butchers may detect pleuro-pneumonia, and may know that the meat is fit or unfit for food, 2921–2934. 2961. 2969–2974——Limited experience of the veterinary surgeons at Leeds in regard to cattle diseases, 2935, 2936.

Illustration of the advantage of sending animals badly diseased to be slaughtered under inspection at Leeds, 2937, 2938——Sufficiency generally of witness's powers as inspector, under the Nuisances Removal Act of 1863, though he has no direct power over live cattle, 2941–2968——Bad meat, which would probably be sold, but for the inspection, 2961, 2962——Apprehended litigation if there were a law of warranty, as in France, 2978.

Highland Agricultural Society. Outline of the objections of the Highland Society to the proposed legislation, *Maxwell* 2034–2036——Evidence in detailed explanation of the views of the society, and of their grounds of objection to the main portions of each Bill before the Committee, 2034 *et seq.*——Approval by the society of the provisions in regard to the cleansing of railway trucks, *ib.* 2037. 2050. 2052, 2053——Approval also of a penalty for the wilful exposure for sale of animals affected with pleuro-pneumonia, *ib.* 2037, 2038——Entire disapproval by the society of the Cattle Importation Bill, *ib.* 2066.

Ample evidence which may be adduced from Scotland in support of the views of the Highland Society, as represented by witness, *Maxwell* 2172.

Copy of amended Bill submitted to the Committee, as showing the alterations proposed by the society, *Maxwell* 2172, 2173.

Holland. Immense amount of diseased cattle imported from Holland, more especially from the district of Friesland, *Gamgee* 134, 135. 554, 555—— Prevalence of pleuro-pneumonia in Holland adverted to, with reference to the mode or cause of its introduction there, *ib.* 433–436——Efficient regulations in Holland, in order to prevent the sale of diseased meat, *ib.* 628–630.

Explanation as to the considerably large amount of disease in Holland and Prussia, notwithstanding the precautions taken in those countries, *Gamgee* 819–822——Reference to the statistics of Holland, as showing a decrease of pleuro-pneumonia in some districts, *ib.* 1000–1006——Strict precautionary measures in Holland, *Simonds* 1908. 1943–1945.

Holstein. See *Schleswig and Holstein.*

Hönck, John. (Analysis of his Evidence.)—Represent the views of the cattle importers in the port of London, and submits a copy of resolutions recently agreed to at a meeting of importers and salesmen, 2177–2182——Approval by the importers, of the Cattle Importation Bill, except in two or three particulars, 2180–2187. 2237——Objection by the importers to the foot and mouth disease coming at all within the operation of the Bill; grounds for this objection considered, 2186–2201. 2237–2244——Effect of the present stringent relations in diminishing the import of foreign cattle, on account of the loss to which the importers are subject, 2188–2195. 2254–2256——Constant outbreak of the foot and mouth disease during the voyage from the foreign ports, 2198. 2259, 2260.

Views of the London importers in favour of the exclusion of scab in sheep from the Importation Bill; examination hereon, 2202–2216. 2245–2247. 2275–2277——Much less prevalence of pleuro-pneumonia abroad than in former years, 2217——Great precautions taken in Schleswig and Holstein in regard to pleuro-pneumonia, but without any good result, 2218–2220——Absence of steppe murrain in Germany or Holstein and Schleswig, 2221——Consideration of the mode of arbitration desirable in the event of dispute between the importer and inspector, 2222–2225.

Report, 1864—*continued.*

Hönck, John. (Analysis of his Evidence)—*continued.*

Amendment suggested in regard to the importer or salesman being liable to a penalty in respect of diseased cattle from abroad, 2229–2236——Very exceptional importation of cattle or sheep for store purposes, so that the danger of infection is not great; the imported animals are in fact killed shortly after their arrival, 2238–2277——Detrimental effect of the quarantine arrangements in the case of cattle with the foot and mouth disease, 2274——Advantage of the proper cleansing of the vessels bringing the cattle to this country, 2278–2287——Approval also of the cleansing of railway trucks, 2288–2290——Convenience if the hours of inspection were extended, in the case of cattle arriving late in the day or evening, 2292–2294.

Hooze. Infectious character of the hooze disease, as found in sheep and cattle, *Gamgee* 574, 575.

Hunt, Charles. (Analysis of his Evidence.)—On the part of the Customs, hands in certain Orders in Council (*App.* 214–216), relative to the inspection of foreign cattle in the Port of London, 3249–3254——Also a copy of the proceedings in the case of some cattle condemned at Leith (*App.* 216, 217), 3255, 3256.

I.

Inoculation. See *Pleuro-pneumonia*, 3. *Small-pox in Sheep.*

Inspection:

1. *Foreign Cattle.*
2. *Fairs and Markets.*
3. *Dead Meat Markets and Slaughterhouses.*
4. *Inspection of Markets, &c. in London.*
5. *Question of Appeal from the Inspector's Decision.*

1. *Foreign Cattle:*

Want of a better inspection of cattle from Holland, *Gamgee* 755–758. 809–813—— The inspection should apply to the detection of those animals only actually diseased, *Letheby* 1403. 1413–1415; *Rep. v.*

Respects in which the present inspection and regulations are too stringent, *Simonds* 1908–1924; *Honck* 2177 *et seq.*——Importance of duly-qualified inspectors on this side of the water, *Simonds* 1909——Fair manner in which the present inspection of imported cattle is carried out; approval hereon of an appeal from the decision of the inspector, *ib.* 1993–2002——Convenience if the hours of inspection in London were extended, in the case of cattle arriving late in the day or evening, *Hönck* 2292–2294.

Inexpediency of unduly limiting the inspection to a certain list of diseases in the case of imported cattle, *Simmonds* 2346–2354.

Regulations relative to the Customs inspection in the Port of London, *App.* 214–216.

2. *Fairs and Markets:*

Evidence in favour of a system of inspection at fairs and markets, with a view to the exclusion of diseased and infectious animals; question considered as to the practicability of such inspection, *Gamgee* 391–404. 425–432. 533–537. 588–597. 750–761. 827–844——Inadequacy of the system of inspection of dead meat, unless accompanied with preventive measures as regards the sale of diseased live stock, *ib.* 415–423——Importance of Government at once exercising a proper supervision; how this is to be carried out, *ib.* 710–712——Way in which the inspection might be carried out at very large fairs, such as Weyhill, *ib.* 946–953.

Diminished difficulty of inspection at fairs, &c., if the steamers, railway trucks, and markets were properly cleansed, *Gamgee* 954–956——Diminution of the number of diseased animals sent to market, if it were known that there were an inspector appointed to each market, *ib.* 969, 970——Liability of inspectors of live cattle to make mistakes upon the question of the cattle being diseased, *ib.* 1010–1013.

Insufficiency of the proposed inspection at local fairs and markets, large numbers of diseased animals being slaughtered in London, &c., which do not pass through markets and fairs at all; approval, however, of the provisions in the Bills as likely to be beneficial to some extent, *Burge* 1022. 1030, 1031.

Concurrence in opinion as to the impracticability and inexpediency of a wholesale system of inspection at fairs and markets. *Simonds* 1773, 1774. 1797–1804. 1848–1854. 1987–1992. 2003–2008; *Maxwell* 2055–2061; *Giblett* 2447. 2457; *Whitsed* 2620–2624; *Scott* 3104–3107; *Swan* 3177, 3178——Effect of inspection in preventing diseased animals being sent for sale, *Simonds* 1775, 1776. 1803, 1804——The inspector should have power to cause the destruction of animals having the pleuro-pneumonia, *Giblett* 2437, 2438——Approval of veterinary surgeons as inspectors of fairs and markets, *Whitsed* 2620. 2630.

Report, 1864—*continued.*

INSPECTION—continued.

2. *Fairs and Markets*—continued.

Utter impracticability of an inspection of animals coming to large fairs and markets; even if the inspection could be relied upon as honest, which is very doubtful, *Kilbee* 3349-3356—— Objection to any compulsory inspection of live stock, an inspection of meat, as at Liverpool, being, however, very desirable, *ib.* 3564-3574——Annoyance and injustice apprehended under the proposed action of the inspectors, and the system of detaining animals suspected to be diseased, *Aungier* 3675-3686.

3. *Dead Meat Markets and Slaughterhouses:*

Importance of an inspection of slaughtering, as well as of the meat subsequently, *Burge* 1052-1055. 1076, 1077; *Letheby* 1351-1353. 1403. 1503-1517. 1534-1538; *Simon* 1675-1677; *Maxwell* 2117-2120. 2143-2146——Contemplated veterinary supervision of diseased animals, *Burge* 1086——Want of officers for the special purpose of inspecting the animals at public markets generally, *Letheby* 1354. 1403-1412.

Although inspection is impracticable at fairs and markets, the more stringent it is at dead meat markets the better, *Maxwell* 2142-2144—— Butchers are very fit persons as inspectors of dead meat markets, *ib.* 2144, 2145; *Whitsed* 2630-2633——Importance of statistical reports by inspectors of dead meat markets and slaughterhouses, *Maxwell* 2170, 2171.

Advantage, at times, in inspectors having the assistance of professional men, *Higgins* 2876, 2877——Sufficiency, generally, of witness's powers, as inspector at Leeds, under the Nuisances Removal Act of 1863, though he has no direct power over live cattle, *ib.* 2941-2968.

It should rest with the inspectors to see that improper meat was not sold, *Stott* 3084, 3085——Expediency of all inspectors having a veterinary diploma, *ib.* 3095——Satisfactory machinery for inspection throughout Scotland, *Swan* 3134——The chief thing required is inspection in the slaughterhouses and butchers' shops, *ib.* 3198.

4. *Inspection of Markets, &c., in London:*

Entire inadequacy of the inspection in London, *Gamgee* 728——Present powers of the medical officers of health in regard to the inspection of meat for sale; respects in which deficient, and amendments suggested, *Burge* 1023-1028. 1032. 1034. 1046.

Explanation of the regulations now in force in the City of London for the inspection of the meat markets, and for the prevention of the sale of diseased and putrid meat, *Letheby* 1319-1326——Data by which the inspectors are guided in condemning the meat, *ib.* 1324——Importance of special inspectors at the markets and slaughterhouses out of the City, *ib.* 1351-1353. 1503-1517. 1534-1538. 1541——Assistance received in the City inspection from the two clerks of the markets, so that there may be said to be four inspectors, with witness as referee, *ib.* 1539, 1540.

Account of the seizures of meat by the inspectors in the City of London markets since 1860, *App.* 195.

5. *Question of Appeal from the Inspector's Decision:*

In the event of dispute between the inspector and the dealer, the matter should be decided by an expert, *Letheby* 1512-1517——The appeal might be to the Royal Veterinary College, *Simonds* 1997; *Giblett* 2438——Expediency of an appeal from the decision of the inspector at slaughterhouses, *Maxwell* 2144. 2146——Consideration of the mode of arbitration desirable in the event of dispute between the importer and inspector, *Hönck* 2222-2225——Non-objection to the appointment of a referee in cases of dispute between the inspector and importer; this appointment should not be in the Veterinary College, *Simmonds* 2358-2362.

See also *Condemned Meat. Edinburgh*, 2. *Fairs and Markets. Foot and Mouth Disease*, 4, 5. *Foreign Cattle. Glasgow. Leeds. Leith. "Leo," The. Liverpool. Officers of Health. Paris. Pleuro-pneumonia*, 4. *Prussia. Scab in Sheep. Slaughterhouses. Small-pox in Sheep.*

Insurance Statistics. Reference to the operations of three cattle insurance companies throughout the kingdom, as not only exhibiting a large annual mortality of cattle from disease, but as showing also the heavy money loss incurred thereby, *Gamgee* 14-45. 54——The cattle insurance of the country is now conducted chiefly by two companies, one at Nottingham and the other at Norwich, *ib.* 46——Witness's experience entirely confirms that of the insurance companies, as to the extent of the loss from disease, *ib.* 69-71.

Frequent instances of insurance companies having refused to take infected districts, *Gamgee* 442-446. 453——It must not be inferred that there is now very little disease because the insurance is limited, *ib.* 453, 454——Grounds for concluding that the insurance statistics of loss are below the actual average loss, *ib.* 561-573.

Report, 1864—*continued.*

Insurance Statistics—continued.

Grounds for concluding that reliable information cannot be obtained from the cattle insurance returns as to the average loss by disease, *Simonds* 1889——Respects in which the insurance statistics relied upon by Professor Gamgee are altogether incomplete and deceptive as regards the mortality at the present time, *Maxwell* 2091–2095——Insurance returns for Renfrewshire and Ayrshire adverted to, as showing results very different from those arrived at by Professor Gamgee, *ib.* 2091.

Remarks in support of former evidence as to the reliance to be placed on insurance statistics, *Gamgee* 2695, 2696.

Ireland. There is most cattle disease in Ireland and least in Scotland, *Gamgee* 10. 147–149——Considerable number of diseased cattle sent from Ireland to England, *ib.* 139–146——The loss in Ireland upon diseased cattle is about seven per cent., *ib.* 147. 527, 528——Grounds for the statement that a considerable portion of the cattle arriving from Ireland are diseased, *ib.* 870–879.

Causes of the frequency of pluero-pneumonia in animals sent from Ireland, *Simonds* 1951–1953——Frequent infection from Irish cattle, so that inspection is very desirable in this direction, *Stott* 3099. 3106——Considerable disease among the cattle from Ireland on account of the treatment on the journey; regulations required, *Swan* 3176. 3183–3194.

Understanding as to the Cattle Diseases Prevention Bill giving powers to inspectors to enter upon lands in Ireland for the purposes of the Act, *Aungier* 3673, 3674——General condemnation of the Bill in Ireland both by buyers and sellers, *ib.* 3708–3710——Condemnation of the Bill at an influential public meeting in Dublin of persons interested in farming and grazing, &c., *ib.* 3710–3717——Decided decrease in pleuro-pneumonia in Ireland, as compared with former years, *ib.* 3718–3734.

Examination upon the question whether the meeting in Dublin were properly informed as to the provisions and objects of the Bill; question hereon as to witness not having been fully cognisant of the details of the measure, *Aungier* 3778–3805. 3823–3837.

With regard to the public meeting in Dublin on the subject of the Cattle Diseases Prevention Bill, the provisions of the Bill were fully laid before the meeting, *Garnett* 3844–3850——Witness considers that the Bill would be most injurious to the cattle trade of Ireland, *ib.* 3851–3853. 3883——Rare instances of pleuro-pneumonia in Ireland, *ib.* 3862——Practice in Ireland of at once sending cattle with pleuro-pneumonia to be slaughtered, *ib.* 3891–3893, 3930, 3931. 3940, 3941.

See also *Calves.* *Cattle Importation Bill.* *Foot and Mouth Disease.* *Liver Disease.* *Pigs.* *Railway Conveyance.* *Steamboats.* *Value of Land.*

Islands. Greater losses on the continent of Europe than on the islands, the latter having formerly exported instead of imported, *Gamgee* 136.

J.

Jews. Practice of the Jews in order to ensure that the animals used by them are not diseased, *Gamgee* 984–988.

K.

Kilbee, Joseph. (Analysis of his Evidence.)—Has had considerable experience as a cattle salesman in Liverpool, and a grazier in Ireland, 3319-3322——Testifies to the great decrease of pleuro-pneumonia, and to the milder form of the disease than when it first made its appearance, 3323–3328. 3360. 3461, 3462——Symptoms by which pleuro-pneumonia may be detected in its earliest stages, 3329–3331——Impracticability of enforcing the provision in the Diseases Prevention Bill in regard to the restrictions to be placed upon any diseased cattle coming in contact with other cattle, 3333, 3334.

Grounds for the conclusion that there is already sufficient remedy available to the purchaser in the event of the vendor knowingly selling diseased animals, 3335-3345. 3358–3360. 3365-3371. 3472–3479. 3498–3504. 3547–3563——Strong objection to the proposed power in Government to make certain regulations by Order in Council, 3346–3348. 3543-3545——Utter impracticability of an inspection of animals coming to large fairs and markets; even if the inspection could be relied upon as honest, which is very doubtful, 3349–3356.

Evidence on the subject of scab in sheep, and its infectious character; grounds for objecting, nevertheless, to any attempt to exclude such sheep from fairs and markets, 3357, 3358. 3419–3425. 3497–3499. 3546–3563. 3589–3641——Statement as to pleuro-pneumonia arising from atmospheric causes, as well as from contagion, 3360-3364——General opinion in the grazing trade as to the proposed restrictions being not only unnecessary, but an interference with trade; they do not, in fact, want the Bill at all, 3365–3371. 3497–3499. 3535–3545.

Approval

Report, 1864—*continued.*

Kilbee, Joseph. (Analysis of his Evidence)—*continued.*

Approval of the cleaning of railway trucks and steamboats, 3372, 3373——Decided objection to the provision as to cattle sent by railway being watered every twelve hours, on account of the injury arising from frequent and sudden stoppages, 3373–3377. 3409–3413. 3437–3448. 3471——Punishment and injury to cattle sent by railway, as compared with the conveyance by steamboat; details on this subject, 3373–3384. 3400–3418. 3437–3455. 3480–3485. 3507–3531.

Very strict system of inspection of dead meat in Liverpool; course pursued in the condemnation of meat, 3385–3387. 3396–3398. 3459, 3460. 3492–3496——Absence of injury to the meat when an animal is killed having pleuro-pneumonia, even in an advanced stage; authority of Professor Muspratt, of Liverpool, for this conclusion, 3388–3395. 3456–3458. 3486–3491. 3532–3538——Sufficient facilities of butchers for detecting whether animals are in an unfit state for food; they do not need any further protection than is afforded under the existing law, 3426–3436. 3472–3479. 3497–3504——Injury to the meat when an animal is killed in a state of fever, 3428–3432. 3468–3470.

Great difficulty of any cure of pleuro-pneumonia, 3464–3467——Objection to importing Irish cattle by the shorter sea passage to Holyhead, as compared with the longer passage to Liverpool, and the shorter railway transit subsequently; decrease of conveyance by the former route, 3507–3515. 3582–3588——Approval of distinct and strict regulations in the case of small-pox in sheep and glanders in horses, 3539–3542. 3580. 3593, 3594.

Grounds for objecting to animals with pleuro-pneumonia being excluded from live markets, under penalty; remedy at present if infection arises, 3546–3560. 3581——Objection to any compulsory inspection of live stock; an inspection of meat, as at Liverpool, being very desirable, 3564–3574——Disapproval of any restriction upon the import of foreign cattle, except in the event of small-pox, or some similar disease, 3575–3581.

L.

Leeds. Witness, as inspector at Leeds, has condemned large quantities of diseased meat; particulars hereon, *Higgins* 2840–2842. 2867——Very large number of cattle affected with pleuro-pneumonia in the country round Leeds, and sent to Leeds to be slaughtered under inspection; returns on this subject, *ib.* 2842. 2855–2867——Condemnation by witness of the meat of animals suffering under pleuro-pneumonia in an advanced stage, there being several symptoms for guidance, *ib.* 2843–2845. 2848–2851——Advantage of sending animals badly diseased to be slaughtered under inspection at Leeds; illustration of this, *ib.* 2852–2855. 2937, 2938.

Number of carcasses of diseased animals examined by witness at Leeds, and proportion condemned as unfit for food, *Higgins* 2867——Extent of witness's duties as inspector of slaughterhouses and butchers' shops at Leeds; belief that the inspection is efficient, and that no diseased animals are killed or disposed of without his knowledge, *ib.* 2878–2883. 2909–2918. 2941–2950——Appeal from witness's decision to three respectable butchers, *ib.* 2884–2886——Witness has the option of calling in the aid of a medical man at any time, *ib.* 2886, 2887. 2951, 2952.

Very few diseased animals sent to the live markets, on account of the system of inspection, *Higgins* 2898——Bad meat which would probably be sold but for the inspection, *ib.* 2961, 2962.

Number of diseased cattle and carcasses brought into the borough, and the slaughterhouses, for examination in the years 1861–63, together with the result of such examination, *App.* 213.

Legislation. Necessity of legislative measures, notwithstanding that it is to the interest of cow-keepers and pig-keepers to take precautionary measures, *Burge* 1231–1252.

Leith. Instance of the unduly strict manner in which animals imported with the foot-and-mouth disease have been dealt with by the Custom House officers at Leith, *Maxwell* 2073. 2079–2085——Exceedingly few diseased cattle brought to Leith from abroad, *ib.* 2081. 2152.

Large import of foreign cattle to Leith; absence of pleuro-pneumonia, *Swan* 3140, 3141. 3207——Efficient inspection now at Leith, *ib.* 3141, 3150–3152——Mistake under which some cattle were rejected at Leith by the Customs officers, and were thrown into the sea, *ib.* 3142, 3143.

Copy of the proceedings in the case of some cattle condemned at Leith, *App.* 216, 217.

"Leo," The. Comment upon the precautions taken by the Customs authorities in London, and the mistake made in the case of the "Leo" in 1859, *Simonds* 1910, 1911.

Explanation of the case of the "Leo," in March 1859, to the effect that the cattle were properly stopped by the inspectors, *Simmonds* 2363, 2364. 2393–2397.

Report, 1864—*continued.*

Letheby, Henry, M. D. (Analysis of his Evidence.)—Has been medical officer of health for the City of London for nearly ten years, 1317, 1318——Explains the regulations now in force in the City for the inspection of the meat markets, and for the prevention of the sale of diseased and putrid meat, 1319–1326——Data by which the inspectors are guided in condemning the meat, 1324——Condemnation of about 270 tons of meat in 3 ½ years, about two-thirds of which was diseased, 1327–1330——Mention of the several diseases found most prevalent in the meat of bullocks, sheep, and pigs respectively; illustrations hereon, 1331–1333.

Greater prevalence of disease in pigs than in cattle or sheep, 1332, 1333——Several diseases of pigs which are communicable or infectious amongst pigs, 1334–1342——Belief as to pleuro-pneumonia in cattle being a very infectious disease, 1343, 1344——Diminution in the spread of disease if proper precautions were taken in the transit by railway, and in the separation of the diseased animals from the healthy ones, 1345–1347. 1403–1412. 1434–1451.

Large sale of diseased meat in the outskirts of the City, as in Whitechapel, &c., 1348–1351. 1375. 1534–1538——Importance of an efficient inspection of slaughter-houses and markets outside the City, 1351–1353. 1403. 1503–1517——Want of officers for the special purpose of inspecting the animals at public markets generally, 1354. 1403–1412—— Difficulty in getting summary convictions at the Mansion House, on account of the interpretation there placed upon the Nuisances Removal Amendment Act; at Guildhall there is no such difficulty, 1355. 1361–1368——Practice adopted in sending diseased meat to London, with a view to defeat any prosecutions that may be established, 1356–1360——Number of convictions and prosecutions at the Old Bailey and before the magistrates, 1362, 1363. 1369–1371——There have been no seizures of diseased meat at the butchers' shops in the City, 1372–1374.

Particulars of a case in which serious illness was caused to several persons by the use of sausage-meat made from a cow slaughtered whilst dying from pleuro-pneumonia; death of one man through having eaten some of these sausages, 1376–1384. 1468–1472. 1498–1502——Circumstance of cats and dogs having also been injuriously affected by this sausage-meat, 1379. 1385, 1386——Evidence in support of the conclusion that carbuncular disease is produced by the meat of animals suffering from pleuro-pneumonia, 1386–1397. 1519.

Witness is not aware of injury resulting from the meat of animals under the foot-and-mouth disease, 1398——Belief as to injury resulting from the milk of cows under this disease; case in illustration, 1399–1401. 1462, 1463——Increased care taken by cow-keepers in London in the exclusion of the foot-and-mouth disease from their dairies, 1402.

Advantage if all cattle imported into this country were carefully inspected, and if diseased animals were excluded, 1403. 1413–1415——Satisfactory regulations in Austria, Switzerland, and other continental countries for preventing the spread of disease, 1403. 1416–1418——Numerous cases brought before witness in which persons have attributed illness to the use of diseased meat, 1422–1425——Doubt as to there being any increased consumption of animal food beyond the increase of population, 1426–1433——Simple and inexpensive means by which railway trucks may be disinfected, 1434–1442. 1447–1450.

Occasional outbursts of small-pox in pigs; witness has not seen any case for about a year, 1443. 1459–1461—— Suggestion that diseased meat should be seized in every place used for the sale of meat, even though it is not at the time exposed for sale, 1454–1456——The onus should lie with the sender of diseased meat to market to answer the charge why he sent it, 1455–1458—— Means of ascertaining from the meat whether the animal has been under a course of physic, 1464–1467.

Immense quantity of meat sent into the City of London as compared with the quantity condemned, 1473–1482——Large proportion of the condemned meat which is delivered over by the salesmen to the inpectors, without being seized by the latter, 1483–1489——Reference to some instances of the judgment of the inspectors having been disputed, 1490–1497——Importance of special inspectors at the markets and slaughterhouses out of the City further adverted to, 1503–1517. 1534–1538. 1541——In the event of dispute between the inspector and the dealer, the matter should be decided by an expert, 1512–1517.

Doubt whether illness would result from the use of the meat of animals who had the foot-and-mouth disease, 1518——Witness cannot speak to any increase of tapeworm in recent years, 1519, 1520——Exception further taken to the interpretation placed upon the law at the Mansion House, 1522–1529. 1531——Improved health of the City from various causes, irrespectively of the question of meat consumption, 1530——Fallacy of calculating the benefit rendered by the City inspection merely by the amount of meat condemned, 1531. 1553–1555.

Assistance received in the City inspection from the two clerks of the markets, so that there may be said to be four inspectors, with witness as referee, 1539, 1540——Competency

Letheby, Henry, M.D. (Analysis of his Evidence)—*continued.*

petency of the inspectors to determine whether the meat is in a diseased or unfit state, 1542-1549——Witness does not contend that meat is unwholesome if there has been only an incipient disease in the animal, 1552——Practice of handing over to the City contractor all condemned meat to be destroyed, 1556-1558.

Liability of Vendors. Evidence in favour of the seller being answerable for a certain period (three weeks) in the event of pleuro-pneumonia breaking out; difficulties hereon considered, *Gamgee* 476-481. 913. 925-939——Suggestions as to there being, in fact, a warranty attached by law to all sales of cattle and sheep for a limited number of days, *ib.* 713-723——Advantage of a liability in the vendor in the cases where there are cattle dealers or jobbers between the original sellers and the purchasers or butchers, *ib.* 729-735.

Objections to a warranty as a means of protecting the purchases of animals subsequently ascertained to be diseased; exception in the case of small-pox, *Simonds* 1809-1814.

In the event of animals or meat condemned in the markets the loss should fall on the original owner, *Whitsed* 2634-2638——Protection to the grazing interests if a warranty were taken with the sheep purchased, *ib.* 2647-2649.

Clause proposed by the Glasgow butchers to be inserted in the Cattle Diseases Prevuntion Bill, providing that, in the event of the condemnation of any cattle slaughtered within four days after the purchase thereof, the original owner or seller shall refund the purchase money to the butcher; examination in support of this proposition, *Duncan* 2701 *et seq.*——Consideration of objections to the proposed liability of the original seller; grounds for contending that the clause proposed by the butchers is really required and would operate fairly, *ib.* 2711 *et seq.*

Apprehended litigation if there were a law of warranty as in France, *Higgins* 2978——Practice in Edinburgh and Glasgow in regard to returning the purchase money to the butchers for cattle condemned after being slaughtered, if killed on the day they are bought, *Swan* 3154-3163.

Grounds for concluding that no further protection is required than is now afforded in the event of a purchaser buying an animal known by the vendor to be diseased; case of Malcomson *v.* M'Donogh adverted to hereon, *Kilbee* 3335-3345. 3358-3360. 3365-3371. 3472-3479. 3498-3504. 3547-3563; *Aungier*, 3692-3707. 3765-3771——Protection by means of a warranty; this is not the practice in Ireland, *Aungier* 3706, 3707, 3765-3767. 3813-3815——Detriment to owners of diseased cattle in exposing them for sale in public fairs, at the risk of infecting other animals, *ib.* 3772-3777——Instance in witness's case of the means of purchasers for recovery from vendors, when the latter sell animals known to be diseased, *Garnett* 3855-3857. 3881.

See also *Butchers. France.*

Litigation. Apprehended litigation if the Cattle Diseases Prevention Bill become law, *Aungier* 3763, 3764.

Liver Disease (*Irish Sheep*). Liability of sheep in Ireland to disease of the liver; this cannot be guarded against by legislation, *Aungier* 3735-3738——Much more injurious and destructive character of the liver disease in Irish sheep than of scab, *Garnett* 3894-3907.

Liverpool. Very strict system of inspection of dead meat in Liverpool; course pursued in the condemnation of meat, *Kilbee* 3385-3387. 3396-3398. 3459, 3460. 3492-3496.

London. See *Condemned Meat. Foreign Cattle. Inspection*, 1. 4. *Meat of Diseased Animals. Officers of Health. Slaughterhouses.*

Lung Disease. See *Pleuro-pneumonia.*

M.

Malignant Pustule. Very rare instances of malignant pustule being caused by the consumption of diseased meat, *Brinton* 1289-1296.

Markets. See *Fairs and Markets. Fat Markets.*

Maxwell, John Hall, C.B. (Analysis of his Evidence.)—Represents the Highland Agricultural Society; is well conversant also with the general feeling in Scotland on the subject of the Bills before the Committee, 2030-2033——Outline of the objections of the Highland Society to the proposed legislation, 2034-2036——Approval by the society of the provisions in regard to the cleansing of railway trucks, 2037. 2050. 2052, 2053——Approval also of a penalty for the wilful exposure for sale of animals effected with pleuro-pneumonia, 2037, 2038.

Decided objection to the proposed regulations as regards the foot-and-mouth disease, as being not only unnecessary but impracticable, 2039-2044——Approval rather of enlarged powers under Order in Council than of strict provisions laid down by Act, 2045-

Report, 1864—*continued.*

Maxwell, John Hall, C.B. (Analysis of his Evidence)—*continued.*

2045-2049. 2069.——Impropriety of the railway officials determining what animals are unfit for transmission by rail, 2051——Suggestion by the Highland Society that the same fine should apply to sending diseased animals in a railway truck or steamboat, as to exposing them for sale in a market, 2054.

Grounds for objecting to the proposed inspection at fairs and markets; illustration in the case of the Falkirk Tryst of the impracticability of such inspection, 2055-2061. 2063——Approval of the penalty of 20*l.* for sending diseased animals to fairs and markets; deterrent effect to be produced thereby, 2061-2065.

With regard to the Cattle Importation Bill, the Highland Society do not approve of it in any respect, 2066——Inexpediency of placing ports in Scotland and Ireland in the same category as foreign ports, as regards importation to England, 2066-2070. 2074-2078——It might be a question about excluding foreign cattle with the foot-and-mouth disease, unless they were for a fat market; in the latter case they should not be detained, 2071-2078——Instance of the unduly strict manner in which animals imported with the foot-and-mouth disease have been dealt with by the Custom-house officers at Leith, 2073. 2079-2085——Exceedingly few diseased cattle brought to Leith from abroad, 2081.

Evidence as to the fallacy of the data assumed by Professor Gamgee in his calculations of the mortality of cattle from pleuro-pneumonia, 2086-2095——Respects in which the insurance statistics relied upon by Professor Gamgee are altogether incomplete and deceptive as regards the mortality at the present time, 2091-2095——Insurance returns for Renfrewshire and Ayrshire adverted to as showing results very different from those arrived at by Professor Gamgee, 2091——Much less prevalence of pleuro-pneumonia in Scotland than in former years, 2091, 2092. 2095.

Statement in refutation of the evidence and returns submitted by Professor Gamgee, relative to the proportion of diseased cows sold in the dairies at Edinburgh, 2096-2112——Reference to, and production of, documents signed by the dairymen and cowkeepers of Edinburgh, in denial of the representations of Mr. Gamgee, 2096-2100——Fitness for human food of the main portion of the animals sold from the dairies, and suffering under the foot-and-mouth disease, &c. 2102-2111——Peculiar system adopted by Mr. Harvey, of Glasgow, who has the largest dairy in the world, in regard to the voluntary infecting of his cows when young, 2111, 2112.

[Second Examination.]—Explanation that, as regards the slaughterhouse clauses, suggested by the Highland Society, they cannot properly be introduced into the Diseases Prevention Bill, 2113-2116——Evidence in support of the proposition of the Society, that there should be slaughterhouses at which all diseased cattle should, under penalty, be killed, and that such slaughterhouses should be subject to rigid inspection, 2117-2120. 2143-2146.

Details on the subject of the Edinburgh slaughterhouses, the regulations to which subject, and the number of diseased animals sent to them, 2120-2132. 2147-2149. 2165——Gross exaggeration of a certain statement that from 100 to 200 diseased animals are sent weekly to the Edinburgh dead-meat market, 2121. 2123. 2129-2132——Respects in which the inspection of the Edinburgh slaughterhouses is inefficient; amendments in contemplation, 2123-2128——Grounds for concluding that the markets in Aberdeen are singularly devoid of unwholesome food, 2132——Satisfactory inspection of the Aberdeen dead-meat market, 2133-2135. 2167.

Further objection to the foot-and-mouth disease being included in the Schedule of either of the Bills before the Committee; impracticability of dealing with this disease by legislation, 2135*-2141——Witness further approves, however, of the clause as to cleansing railway trucks, 2141——Although inspection is impracticable at fairs and markets, the more stringent it is at dead-meat markets the better, 2142-2144——Expediency of an appeal from the decision of the inspector at slaughterhouses, 2144. 2146——Opinion that butchers would be the best inspectors of dead meat, 2144, 2145.

Further information required beyond that which can be supplied from Edinburgh with reference to legislation for the dead-meat markets, 2147-2151——Infinitesimal amount of disease in the cattle imported into Leith from Hamburg further adverted to, 2152——Circumstance of its having been at the suggestion of the Highland Society that scab, in sheep, was added to the Schedule; witness has no decided opinion on this point, 2153-2157.

Further statement as to the very little pleuro-pneumonia now in Scotland, and as to the exceedingly healthy state of the breeding districts, 2158-2162——Witness repeats that the enactments in reference to pleuro-pneumonia should be restricted to the case of diseased animals wilfully sent to public fairs and store markets, 2163, 2164——Further information relative to the inspection of the slaughterhouses at Edinburgh, 2166. 2168-2171——Importance of statistical reports by inspectors of dead-meat markets and slaughterhouses, 2170, 2171.

Ample evidence which may be adduced from Scotland in support of the views of the Highland Society, as represented by witness, 2172——Copy of amended Bill submitted to the Committee, as showing the alterations proposed by the society, 2172, 2173.

Report, 1864—*continued.*

Measles, (Pigs, &c). Impracticability of arresting the propagation of measles in pigs by any regulations as to their contact in markets, *Simonds* 1767. 1779——Witness would omit measles from the Cattle Diseases Preventive Bill, the disease not being contagious, *ib.* 1779. 1903, 1904——Measles in pigs, &c., as producing tapeworm, may be said to have been proved injurious to health, *Simon* 2587, 2588.

Meat of Diseased Animals:

1. *Effect as regards the Public Health.*
2. *Quantity of Diseased Meat sent to or used in London.*
3. *Symptoms of Disease in Meat.*
4. *Restrictions desirable upon Sale.*

1. *Effect as regards the Public Health:*

Grounds for the conclusion that the meat of animals killed in the various stages of pleuro-pneumonia is decidedly unwholesome, and has induced a considerable amount of disease, *Gamgee* 187-208——Evil results do not, as a rule, follow from using the meat of animals killed when under the foot and mouth disease, *ib.* 259——Conditions under which the meat of animals attacked with pleuro-pneumonia might be allowed to be sold for food, *ib.* 348-351. 421-423——In the case of death during the period of incubation of pleuro-pneumonia the meat would not, as a rule, be unfit for food, *ib.* 558-560——Injurious and fatal effects which arise from the use of badly diseased meat further adverted to; less danger on account of the process of cooking, *ib.* 957-962.

Belief expressed by the association of the officers of health that much disease is produced in the human subject by the consumption of the meat of diseased animals, *Burge* 1018——Several diseases in cattle which render the meat unfit for food, *ib.* 1019——Evidence in support of the conclusion that diseased meat is injurious to health, *ib.* 1044 *et seq.*——Conclusion as to the unfitness for food of the meat of animals suffering from the foot and mouth disease, as well as from pleuro-pneumonia, *ib.* 1069-1076. 1094-1124. 1184-1186——The meat of animals in any stage of pleuro-pneumonia, or the foot and mouth disease, should not be used for human food, *ib.* 1207, 1208.

Great loss of the nutritive qualities of meat when diseased, *Brinton* 1255-1259. 1265-1315——Meat killed in the very early stages of disease would probably not be injurious, and would retain much of its nutritive qualities, *ib.* 1259-1261——Uncertainty felt as to the use of diseased meat not producing diseases other than parasitic diseases, *ib.* 1262-1266. 1310-1316——Improved health of the population generally, *ib.* 1299-1302——Prevention of much mischief if proper cooking could be insured, *ib.* 1304-1309.

Particulars of a case in which serious illness was caused to several persons by the use of sausage meat made from a cow slaughtered whilst dying from pleuro-pneumonia; death of one man through having eaten some of these sausages, *Letheby* 1376-1384. 1468-1472. 1498-1502——Circumstance of cats and dogs having been injuriously affected by this sausage meat, *ib.* 1379. 1385, 1386.

Doubt as to any cases of injury to health from the meat of animals which have had the foot and mouth disease, *Letheby* 1398. 1518; *Simon* 1568-1570. 1620, 1621——Numerous cases brought before witness in which persons have attributed illness to the use of diseased meat, *Letheby* 1422-1425——Improved health of the City of London from various causes, irrespectively of the question of meat consumption, *ib.* 1530——Witness does not contend that meat is unwholesome if there has been only an incipient disease in the animal, *ib.* 1552.

Absence of evidence of injury to human health from the meat of animals having pleuro-pneumonia, &c., *Simon* 1565-1567. 1598, 1599. 1618, 1619. 1634-1637——Reference to several diseases mentioned in the Bill as not having been proved to have been injurious through the use of the meat, *ib.* 1585-1588——Better state of the public health generally than in former years; it does not follow that the use of diseased meat is not without injurious effect, *ib.* 1625-1628. 1649-1666——Information in connexion with the case cited by Dr. Letheby of injury to a large number of persons from eating sausages made from the meat of a diseased animal; grounds for concluding that part of the meat was in a decomposed state, and that this was the probable cause of the mischief, *ib.* 1682-1692. 1695-1699.

Absence of injury to the public health by the consumption of animals suffering under the foot and mouth disease, *Simonds* 1872-1875——Belief that there are no facts to show that any injury has resulted from persons eating the meat of animals slaughtered in an advanced stage of pleuro-pneumonia, *ib.* 1938——Very few foreign animals unfit for food which have had the foot and mouth disease on arrival in London, *Simonds* 2326-2329——Entire fitness for food of animals killed under the foot and mouth disease, *Giblett* 2450. 2458-2464.

Information relative to a bullock recently sold by witness to a butcher which had pleuro-pneumonia; goodness of the meat, *Congreve* 2508-2511. 2541-2548. 2601-2604

Report, 1864—*continued.*

MEAT OF DISEASED ANIMALS—continued.

1. *Effect as regards the Public Health*—continued.

——At Leeds about one-fourth of the meat of cattle under pleuro-pneumonia has been condemned as unfit for food, *Higgins* 2867–2869.

Absence of injury to the meat if the animal be killed in the earlier stages of pleuro-pneumonia, *Tegg* 3237, 3238——Absence of injury to the meat when an animal is killed having pleuro-pneumonia even in an advanced stage; authority of Professor Muspratt of Liverpool for this conclusion, *Kilbee* 3388–3395. 3456–3458. 3486–3491. 3532–3538——Injury to the meat when an animal is killed in a state of fever, irrespectively of any disease, *ib.* 3428–3432. 3468–3470.

2. *Quantity of Diseased Meat sent to or used in London:*

Great number of cattle killed whilst under the lung disease, and sold and consumed in London and other large places, *Gamgee* 200–222——Enormous quantities of diseased meat sold in London and round the suburbs, *ib.* 218–222. 556, 557——Reference to the quantity of dead meat coming into London in the course of the year, and the chief places at which sold, *ib.* 771–781.

Grounds for the conclusion that there is a large consumption of diseased meat in London, and that the use of diseased meat is very injurious to health, *Burge* 1018. 1025. 1044–1046. 1062–1076. 1049. 1084, 1085. 1093–1106. 1119–1127. 1139–1164. 1176–1200. 1215–1217——Consumption of diseased meat by the upper classes as well as by the lower classes, *ib.* 1155–1164.

Information relative to the quantity of diseased meat seized in the City of London in different years, and the quantity condemned as altogether unfit for human food, *Letheby* 1327–1330. 1480–1497. *App.* 195——Mention of the several diseases found most prevalent in the meat of bullocks, sheep, and pigs respectively; illustrations hereon, *Letheby* 1331–1333——Large sale of diseased meat in the outskirts of the city, *ib.* 1348–1351. 1534–1538——Practice adopted in sending diseased meat to London with a view to defeat any prosecutions that may be established, *ib.* 1356–1360.

Extensive practice in the neighbourhood of Leeds of sending diseased carcasses direct to London, and other large towns, *Higgins* 2871–2875.

3. *Symptoms of Disease in Meat:*

Peculiar appearance and condition of the meat of animals afflicted with pleuro pneumonia, *Gamgee* 189-196——Great difficulty frequently in judging from dead meat whether the animal died of disease, or whether the meat is fit for food, *ib.* 971-683. 988 Symptoms by which diseased meat may be detected, *Burge* 1074, 1075.

Means of ascertaining from the meat whether the animal has been under a course of physic, *Letheby* 1464–1467——Competency of the inspectors to determine whether the meat is in a diseased or unfit state, *ib.* 1542–1549——State of the carcases, and appearance and condition of the meat, by which butchers may detect pleuro-pneumonia, and may know whether the meat is fit or unfit for food, *Higgins* 2921–2934. 2961. 2969–2974.

4. *Restrictions desirable upon Sale:*

Importance of very stringent laws with regard to the sale of diseased meat, *Gamgee* 414——Distinction to be made in dealing with diseases which render meat unfit for food, and diseases which merely cause loss to the owners of the animals, *ib.* 598–602.

Suggestion that diseased meat should be seized in every place used for the sale of meat, even though it is not at the time exposed for sale, *Letheby* 1454–1456——The onus should be with the sender of diseased meat to market to answer the charge why he sent it, *ib.* 1455–1458.

See also *Anthrax. Butchers. Carbuncles and Boils. Condemned Meat (Metropolis). Dairy Cows. Edinburgh. Foot and Mouth Disease. Inspection. Leeds. Officers of Health. Parasitic Diseases. Paris. Penalties. Pigs. Pleuro-pneumonia. Slaughter-houses. Summary Convictions. Tapeworm.*

Mercurial Ointment (Scabby Sheep). Great numbers of sheep killed in Lincolnshire, &c., through the use of mercurial ointment in dressing them for the scab; prejudicial effect also upon the character of the meat, *Gamgee* 282. 285–298. 538–541. 583–587.

Opinion that the use of mercurial ointment in the treatment of scabby sheep is not likely to have the least injurious effect upon the quality of the meat, *Simonds* 2175, 2176.

Metropolitan Cattle Market. Advantage of the power of witness to seize cattle and dead meat in the market unfit for food, *Tegg* 3212–3215——Way in which witness exercises this power as inspector, *ib.* 3216–3218——Very little disease among the foreign cattle at the market, *ib.* 3242–3244.

Milk (*Foot and Mouth Disease*). Evidence as to the communication of the foot and mouth disease to persons using the milk of diseased animals; poisonous property of the milk adverted to hereon, *Gamgee* 244–255. 259——Effect of boiling the milk from diseased cows in neutralising its injurious effects; *Gamgee* 943–945; *Burge* 1173, 1174——Statement as to the injurious effect upon health by the use of milk of animals suffering from the foot and mouth disease; data for this conclusion considered, *Burge* 1047, 1048. 1087–1092. 1129–1138. 1150, 1151. 1218–1227.

Probability of disease having been communicated by the use of the milk of diseased animals, *Brenton* 1297, 1298. 1313——Belief as to injury resulting from the milk of cows under the foot and mouth disease; case in illustration, *Letheby* 1399–1401. 1462, 1463——Instances of injury from the milk of cows under the disease, *Simon* 1571, 1572. 1594, 1595; *Higgins* 2870.

Mortality from Disease. Witness has prepared reliable statistics as to the number of cattle lost by disease, such statistics being founded chiefly upon information derived from insurance companies, *Gamgee* 4. 10–16. 24–35——Conclusion that the loss by diseased cattle is at least five per cent. upon the whole number, even in Scotland, where there is less disease than in England or Ireland, *ib.* 5–25——Statistics as to the diseases from which cattle die; about fifty per cent. of the total loss is from pleuro-pneumonia, *ib.* 47–55——In England the loss sustained upon diseased cattle is about six per cent., in Scotland five per cent., and in Ireland seven per cent., *ib.* 147–149.

Consideration of certain exceptions taken as regards witness's calculations that the loss of cattle by disease averages five per cent. for the kingdom generally; reliance to be placed on this average, *Gamgee* 437–451——Much smaller loss by disease before the year 1838, and the introduction of pleuro-pneumonia, *ib.* 880–889.

The loss of cattle, as calculated by Professor Gamgee, is altogether too high, *Simonds* 1870——Grounds for concluding that the mortality is much less than is calculated by Professor Gamgee, *Maxwell* 2086 *et seq.*

See also *Dairy Cows.* *Edinburgh*, 1. *Foot and Mouth Disease*, 3. *Insurance Statistics.* *Pleuro-pneumonia*, 5. *Small-pox in Sheep.*

N.

Newcastle-on-Tyne. Improved inspection now in operation at Newcastle, *Stott* 3086–3088——Small number of cattle labouring under lung disease brought into Newcastle in recent years, *ib.* 3088. 3124.

Newgate Market. Account of the seizure of meat since 1860, *App.* 195.

O.

Officers of Health (*Metropolis*). Statement by the association of the officers of health as to the large quantity of diseased meat used in London, and as to the expediency of a strict system of inspection, *Burge* 1018——Proposition that the officers of health in the Metropolis should have the same power as inspectors of markets and fairs; insufficiency of their present powers, *ib.* 1023–1028. 1032–1034——Information relative to some diseased pigs in witness's district, as showing the inadequacy of his present power of interference, *ib.* 1032, 1033. 1036. 1237–1258——Nature of the extended powers desirable in the medical officers of health and the local authorities under sanction of the Secretary of State, *ib.* 1034–1041. 1123–1128. 1242——Discretion proposed to be vested in the officers of health in regard to the condemnation of animals and carcases unmistakeably diseased, *ib.* 1125–1128.

Orders in Council. The power of applying Orders in Council under the Cattle Diseases Prevention Bill, should be limited to glanders, sheep-pox, and steppe-murrain, *Simonds* 1780. 1793–1796——Approval rather of enlarged powers under Order in Council, than of strict provisions laid down by Act, *Maxwell* 2045–2049. 2069——Strong objection to the proposed power in Government to make certain regulations by Order in Council, *Kilbee* 3346–3348. 3543–3545.

P.

Parasitic Diseases. Belief that parasitic diseases in man have, beyond doubt, been produced by the use of meat in an improper or ill-cooked state, *Simon* 1565. 1573–1580——Exceptional circumstances under which the parasitical disorders are communicable from animal to animal, *ib.* 1581–1584.——*See* also *Pigs.* *Tapeworms.* *Trichiniasis.*

Paris. Particulars relative to the regulations in Paris for the dead meat market and slaughter-houses; very efficient inspection exercisd, *Gamgee* 640–652——Further state-

Report, 1864—*continued.*

Paris—continued.

ment as to the system of inspction in Paris; understanding that meat paying the octroi duty is inspected, *Gamgee* 795–808——Practice of dealing with animals that have died from the foot and mouth disease, *ib.* 823–826——Inspection of the animals before they are slaughtered as well as subsequently, *ib.* 984–991.

Copy of the regulations as regards the slaughtering of animals and the sale of meat, *App.* 200.

Penalties. Approval of a fine of 20*l.* in the case of animals sent from Ireland with pleuro-pneumonia, or of animals sold in England, and suffering, knowingly, from pleuro-pneumonia, *Simonds* 1918–1920. 1933–1938. 1942. 1978–1980——Consideration of the proposed provision in regard to diseased cattle or sheep being turned out into roadways, &c., or not being properly fenced in, *ib.* 1959–1966.

Expediency of a penalty upon the exposure of diseased animals for sale in store markets; whereas such exposure in fat markets is not important, and the slaughtering of the animals should alone be required, *Simonds* 1967–1975. 2007, 2008. 3030–3084. 3096–3099. 3116–3123——Approval of the penalty of 20*l.* for sending diseased animals in a bad state to fairs and markets; deterred effect to be produced thereby, *Maxwell* 2061–2065; *Giblett* 2433–2437. 2481–2486.

Sufficiency of a system of penalties, without inspection, at fairs and markets, *Whitsed* 2622–2629——Expediency of penalty in cases of grazing cattle being knowingly sold in a diseased state, *Swan* 3149——Impracticability of working some of the provisions of the Diseases Prevention Bill, or of enforcing penalties, *Kilbee* 3333, 3334; *Aungier* 3687–3691. 3809.

Objection to any penalty for wilfully sending diseased cattle or scabby sheep into the markets; sufficient check at present upon abuse in this respect, *Garnett* 3879–3890.

Clauses proposed by Mr. Alderman Salomons and Mr. Hunt on the subject of penalties for wilfully selling diseased cattle or meat; the same negatived by the Committee, *Rep.* xiii, xiv.

See also *Conveyance or Transit. Foot and Mouth Disease*, 4, 5. *Inspection. Pleuro-pneumonia*, 4. *Scab in Sheep.*

Pigs. With respect to pig diseases, the parasitic diseases are peculiarly prejudicial to persons consuming the meat of the diseased animals, *Gamgee* 299–310——Large number of diseased or measly pigs in Ireland, *ib.* 300, 301. 313——Difficulty as to the symptoms from which to judge as to pigs having the parasitic diseases, *ib.* 312——Expediency of the suppression of piggeries in or near all large towns, and of a prohibition upon the use of diseased dead animals, and of all raw meat in piggeries, *ib.* 315–322.

Great mortality lately amongst the pigs in witness's district; way in which they are fed adverted to hereon, *Burge* 1078–1082. 1139–1148. 1237–1241. 1247–1252.

Unfitness for food of the meat of diseased pigs, as in Fulham district, *ib.* 1139–1149. 1251, 1252.

Circumstances under which parasitic diseases in pigs may prove contagious, *Brinton* 1286–1288——Several diseases of pigs which are communicable or infectious amongst pigs, *Letheby* 1334–1342——Occasional outbursts of small-pox in pigs; witness has not seen any for about a year, *ib.* 1443. 1459–1461——Approval of the feeding of pigs with flesh being prohibited, this being a fruitful source of disease, *Simon* 1639–1645.

Clause passed for prohibiting the feeding of swine on uncooked flesh, *Rep.* xiii.

See also *Measles. Parasitic Diseases. Tapeworm. Trichiniasis.*

PLEURO-PNEUMONIA:

1. *Origin of the Introduction of the Disease into this Country.*
2. *Characteristics of the Disease; extent to which Contagious.*
3. *Means of curing diseased Animals, and of arresting the Spread of Disease.*
4. *Question as to Restrictions in connexion with the sending to Market, or the Sale of Animals suffering from Pleuro-pneumonia.*
5. *Mortality from the Disease; its Prevalence in different Years.*
6. *Recommended detention of diseased Animals on Arrival from Abroad.*

1. *Origin of the Introduction of the Disease into this Country:*

First appearance of pleuro-pneumonia, about the beginning of 1840, when it seems to have been introduced into Ireland by Dutch cows, *Gamgee* 57–63——It did not appear to any extent until after July 1842, *ib.* 57.

Evidence showing that pleuro-pneumonia was not originated in this country by the import of infected cattle, *Simonds* 1766——Numerous cases of pleuro-pneumonia among witness's cattle in 1841 and 1842; difficulty in tracing the origin of the disease save to atmospheric causes, *Aungier* 3647–3655.

Very

Report, 1864—*continued.*

PLEURO-PNEUMONIA—continued.

2. *Characteristics of the Disease; extent to which Contagious:*

Very contagious character of pleuro-pneumonia, *Gamgee* 158–160. 170–173. 329-331; *Burge* 1034–1041. 1125–1128; *Letheby* 1343, 1344; *Simon* 1589–1592. 1606–1610 ——Varying periods for which the disease lasts before death ensues, *Gamgee* 197–199 ——Long period of incubation of the disease, *ib.* 475——Rare instances of pleuro-pneumonia being taken a second time by the same animal, *ib.* 498——Absence generally of any injurious after-effects consequent upon pleuro-pneumonia; instances, however, of such effects, *ib.* 963–966.

Infectious character of pleuro-pneumonia when in an advanced stage or severe form; during incubation it is not infectious, *Simonds* 1729–1733. 1787, 1788. 1855, 1856—— Spread of this disease as an epidemic, independently of infection, *ib.* 1729, 1730. 1736. 1829–1833; *Kilbee* 3360–3364 —— Facility of determining whether an animal is suffering from pleuro-pneumonia, *Simonds* 1734, 1735. 1789–1791.

Grounds for the opinion that pleuro-pneumonia is not a very catching disease, if it be catching at all, *Congreve* 2512–2519. 2549–2554. 2564–2570 ——Difficulty of detecting the lung disease in an early stage, *Swan* 3150. 3153——Symptoms by which pleuro-pneumonia may be detected in its earliest stages, *Kilbee* 3329-3331——It is most prevalent when easterly winds prevail, *ib.* 3360.

Facility of experienced persons detecting the disease in an early stage, *Aungier* 3663–3665——Doubt as to pleuro-pneumonia being highly infectious, *ib.* 3744. 3753, 3754. 3816-3818——Grounds for concluding that pleuro-pneumonia is not infectious at all, *Garnett* 3854. 3875–3877. 3910–3915.

3. *Means of Curing diseased Animals, and of arresting the Spread of Disease:*

Measures adopted by witness for checking the spread of pleuro-pneumonia, or for curing cows actually suffering from it; reliance placed chiefly on inoculation in the former case, witness having practised it with excellent results, *Gamgee* 153–165. 177. 484–499 ——Importance of careful separation in the early stage of the disease, and of all practical preventive measures being adopted, *ib.* 154. 161. 182–186. 499–505. 533–537 ——Decided objection to animals being much moved about, or made to travel by road or rail, when once attacked with the disease, *ib.* 165–173. 178–186. 332 ——Effectual prevention against the spread of pleuro-pneumonia if proper measures be promptly taken after the first outbreak, *ib.* 326–329. 333–339. 361–366.

Probable proportion of animals under the disease which may be cured by prompt and proper treatment, *Gamgee* 333–339——Facility of ascertaining by osculation the existence of pleuro-pneumonia at an early stage; the animals should be killed at this stage, before they become unfit for food, *ib.* 339–350——It should be compulsory on farmers to exclude from any herd, and to destroy the first animal discovered as suffering from the disease, *ib.* 339. 348–351. 361–364——The milk is not affected either in quality or quantity, by inoculation for the disease, *ib.* 485. 494–496.

Grounds for concluding that it is useless to inoculate as a check upon the spread of pleuro-pneumonia, *Simonds* 1867. 1939–1941. 1981–1986. 2009, 2010——Explanation as to the character of pleuro-pneumonia and the best remedies for controlling it, *ib.* 1898–1900——Great difficulty of any cure of the disease, *Kilbee* 3464–3467—— Illustration of the difficulty and expense of any attempted cure of the disease, so that the practice is to sell or kill the animals before they greatly deteriorate, *Aungier* 3655–3665. 3819–3821.

4. *Question as to Restrictions in connexion with the sending to Market or the Sale of Animals suffering from Pleuro-pneumonia:*

Probable check to the disease if there were an effectual check upon the sale of live-stock in a diseased state, *Gamgee* 209-211——Expediency of diseased animals on their way to the towns being arrested and destroyed as soon as it is discovered that they have pleuro-pneumonia, it being left to competent authorities to determine whether the meat was fit for food, *ib.* 506–520. 914–924——Approval of restriction upon the animals being sent to fairs and markets, *Burge* 1022. 1030, 1031; *Simonds* 1738. 1748–1751. 1792.

Considerations as to the legislative provisions desirable in the case of this disease; objection to the proposal in regard to the destruction and burial of animals suffering under the disease, *Simonds* 1736–1751. 1780–1785. 1792——Failure of measures adopted abroad for checking the spread of pleuro-pneumonia, *ib.* 1736. 2015-2019——Pleuro-pneumonia, glanders, and scab should be excluded from the second part of the Diseases Prevention Bill, which applies to Orders in Council, *ib.* 1897. 1905–1907. 1933. 1955–1958.

Approval of a penalty for wilfully sending to market cattle having pleuro-pneumonia, or the lung disease, in a bad state, *Simonds* 1918–1920. 1933–1938. 1942. 1978–1980; *Maxwell* 2061–2065; *Giblett* 2433–2437. 2481–2486.

Report, 1864—*continued.*

PLEURO-PNEUMONIA—continued.

4. *Questions as to Restrictions, &c.*—continued.

The enactments in reference to pleuro-pneumonia should be restricted to the case of diseased animals wilfully sent to public fairs and store markets, *Maxwell* 2163, 2164——Difficulty in legislating even for pleuro-pneumonia; non-objection, however, to the proposed restrictions on this point if the foot and mouth disease be excluded from the Bill, *Congreve* 2505, 2506. 2522–2525. 2560–2562. 2579–2596——Rare instances in witness's district of animals who are suffering from pleuro-pneumonia being sent to the local markets, *Whitsed* 2639–2644.

Expediency of cattle with pleuro-pneumonia being excluded from the live markets, the disease being infectious, *Higgins* 2846–2848——Objection to any severe restrictions in connexion with pleuro-pneumonia, except in the case of store cattle, *Swan* 3148. 3150. 3175. 3197–3204——Approval of a penalty in certain stages of pleuro-pneumonia cattle sent to market, *Tegg* 3233–3235.

Grounds for objecting to animals with pluero-pneumonia being excluded from live markets, under penalty; remedy at present if infection arises, *Kilbee* 3546–3560. 3581——Impracticability of checking pleuro-pneumonia by legislation, *Aungier* 3666–3671. 3822——Increased danger of the spread of infection by keeping diseased animals on farms, and endeavouring to cure them, *ib.* 3757–3760——Objection generally to the restrictions in the Bill in regard to cattle with pleuro-pneumonia or scabby sheep being sent to market, or from Ireland to England, *Garnett* 3919–3941.

5. *Mortality from the Disease; its prevalence in different Years:*

The most fatal disorder has been pleuro-pneumonia, which causes about fifty per cent. of the total loss; this is on the whole about stationary, *Gamgee* 47–55. 150–152——Belief that the losses in 1864 will exceed those in 1863, *ib.* 152——With regard to pleuro-pneumonia, it exists in cattle in as violent and destructive a form as it has ever done, *ib.* 324, 325——Equal fatality of pleuro-pneumonia as in former years, that is, whenever it now occurs, *ib.* 452——Relative effect of the disease in towns and in the country, and upon younger and older animals respectively, *ib.* 521–526.

Immense loss of cattle from pleuro-pneumonia, *Burge* 1201–1206——Pleuro-pneumonia is undoubtedly the most prevalent disease in cattle, *Letheby* 1331.

Grounds for concluding that pleuro-pneumonia among cattle is less prevalent than in former years, and that the loss from this cause is not at present very great, *Simonds* 1721–1728——Estimate that the average loss by pleuro-pneumonia is not more than one-half per cent., *ib.* 1868–1870——The recoveries are many more then they used to be, *ib.* 1902.

Evidence as to the fallacy of the data assumed by Professor Gamgee in his calculations of the mortality of cattle from pleuro-pneumonia, *Maxwell* 2086–2095——Statement as to the very little pleuro-pneumonia now in Scotland, and as to the exceedingly healthy state of the breeding districts, *ib.* 2091, 2092. 2095. 2158–2162——Less prevalence and milder form of pleuro-pneumonia than in former years, *Simmonds* 2355–2357; *Kilbee* 3323–3328. 3360. 3461, 3462——Rare instances of pleuro-pneumonia in cattle killed in the Glasgow markets, *Duncan* 2801–2809.

Greater prevalence of disease than in former years; decrease, however, at Leeds during the present year, *Higgins* 2904, 2905. 2939, 2940——Large proportion of diseased cattle which have pleuro-pneumonia, *ib.* 2919, 2920——Great decrease of the disease in the Edinburgh and Glasgow markets, and throughout Scotland, *Swan* 3130, 3131. 3179, 3180——Decided decrease of pleuro-pneumonia, *Tegg* 3229, 3230.

6. *Recommended Detention of Diseased Animals on arrival from Abroad:*

Only those animals actually affected with the disease should be detained on arrival at the port of London, *Rep.* v.

See also *Australia. Ayrshire. Carbuncles and Boils. Dairy Cows. Fairs and Markets. Foreign Cattle. Inspection. Ireland. Leeds. Meat of Diseased Animals. Penalties. Railway Conveyance. Slaughter-houses.*

Price of Meat. Apprehended large increase in the price of meat, if the proposed provisions relative to the foot and mouth disease are carried out, *Simonds* 1758; *Congreve* 2504; *Giblett* 3430. 3432.

Privy Council. Origination by the Privy Council of the investigations which have been made into cattle diseases and diseased meat, *Simon* 1561–1563——Non-objection to a power in the Privy Council to order the destruction and burial of animals in cases of highly contagious disease, *Whitsed* 2613–2616——Approval of the power of the Privy Council to order the destruction of sheep, as in the case of small-pox, *Brown* 3264. 3314, 3315.

Provincial Towns. Expediency of the proposed restrictions as to dead-meat markets, &c., being applied to towns generally, as well as to London, *Burge* 1056, 1057.

Prussia.

Report, 1864—*continued.*

Prussia. The largest amount of disease now comes from Prussia, *Gamgee* 134——Very strict inspection and regulations in Prussia with regard to slaughter-houses, dead-meat markets, &c., *ib.* 632-636. 677, 678. 687-700——Arrangements in Prussia and other foreign countries, in regard to the transit of diseased animals; check upon diseased cattle crossing the frontiers into Prussia, whilst quarantine is exercised in the case of diseased animals in the country, *ib.* 653 *et seq.*

Strict inspection on the Prussian frontier further adverted to; there is not equal strictness in regard to cattle leaving the country, *Gamgee* 907-912——Careful statistics in Prussia, in regard to disease in cattle; these show an immense decrease of pleuro-pneumonia in Mecklenburgh and Bavaria, *ib.* 992-999 ——Very strict and effectual regulations in Prussia and Bavaria, *Simonds* 1893-1895.

Public Health. See *Meat and Diseased Animals.*

Putrid Meat. Opinion that many of the cases of injury to health, attributed to diseased meat, have really arisen from putrid meat, *Simon* 1565.

Account of the seizures of putrid meat in the City of London markets since 1860, *App.* 195.

Q.

Quarantine. Curable animals in a diseased state should be subject to a quarantine, *Burge* 1125——Objection to the principle of a quarantine, as applied to animals, *Simonds* 1859 ——Detrimental effect of the quarantine arrangements in the case of cattle with the foot and mouth disease, *Hönck* 2274.

R.

Railway Conveyance. Statement as to the large removal of diseased cattle by railway, as from Scotland to England, and as to the spread of the disease thereby, *Gamgee* 168-176. 367-374. 740-743—— Very careless and incautious practice in the removal of diseased animals by railway; suggestions hereon, *ib.* 168-176. 178-180. 740-743—— Frequency of infected stock being sent by railway to Glasgow, &c., and sold to butchers there, *ib.* 179, 180.

Considerations as to the practice to be pursued when there are some cases of pleuro-pneumonia out of a large number of cattle being conveyed by railway; the trucks with diseased cattle should alone be stopped, *Gamgee* 549-553. 846-869 —— Regulations desirable in regard to the washing of railway trucks in which there have been diseased cattle, *ib.* 580-582. 746-749——With regard to the detention or refusal of diseased animals at railways, the check should not be exercised by any officer of the railway company, *Gamgee* 736, 737. 761; *Maxwell* 20515; *Swan* 3171-317.

Diminution in the spread of disease, if proper precautions were taken in the transit by railway, and in the separation of the diseased animals from the healthy ones, *Letheby* 1345-1347. 1403-1412. 1434-1451——Simple and inexpensive means by which railway trucks may be disinfected, *ib.* 1434-1442. 1447-1450——Evidence in approval of the clause, providing for the cleansing of railway trucks, *Simonds* 1745-1747; *Maxwell* 2037. 2141. *Hönck* 2288-2290; *Congreve* 2535. 2563; *Whitsed* 2617; *Stott* 3092-3095. 3108; *Swan* 3139; *Kilbee* 3372, 3373.

Objection to its being left to the railway officials to determine what animals are unfit for transmission by rail, except in the case of small-pox in sheep, or of lung disease, *Simonds* 1976, 1977. 2011. 2013——Suggestions as to the precautions desirable in regard to the cleansing of railway trucks, *ib.* 2012-2014. 2026-2029——An animal suffering from the foot and mouth disease should not be refused at the railway, *ib.* 2013. 2026—— Slight mischief attributed to conveyance in unclean trucks, *ib.* 2014. 2026.

Approval of the railway companies having power to refuse to carry cattle considered to be diseased, *Whitsed* 2618, 2619——Punishment and injury to cattle sent by railway, as compared with the conveyance by steamboat; details on this subject, *Kilbee* 3373-3384. 3400-3418. 3437-3455. 3480-3485. 3507-3531——Witness sends his cattle to England *viâ* Liverpool; he objects to railway transit, and never sends to Holyhead, *Garnett* 3858-3861.

See also *Conveyance or Transit.* *Watering of Cattle.*

Rinder-pest. Extent and character of rinder-pest, or steppe-murrain, as a disease; doubt as to the meat being injurious to health, *Simon* 1565. 1598, 1599.

Peculiarly dangerous character of steppe-murrain or rinder-pest, *Simonds* 1768—— Approval of this disease being retained in the Bills, although it is not probable that it will be brought into this country, *ib.* 1786. 1834-1837.

Further particulars on the subject of rinder-pest; its destructive character, and the countries to which it has chiefly been confined, *Simonds* 1890-1893 ——Way in which

Rinder-pest—continued.

animals are affected by the rinder-pest disease; it is the most fatal as well as the most contagious of all cattle diseases, *Simonds* 1893——Expediency of distinguishing between such diseases as pleuro-pneumonia and the foot and mouth disease, on the one hand, and rinder-pest and small-pox on the other, *ib.* 1895–1897.

Absence of steppe-murrain in Germany or Holstein and Schleswig, *Hönck* 2221——Witness, as customs-inspector in London, has had only one case with symptoms of rinder-pest, *Simmonds* 2321.

Paper issued by the customs showing the symptoms of steppe-murrain, and the precautionary measures desirable to be taken, *App.* 215, 216.

Russian Plague. Expedinney of preventive measures being adopted with reference to the importation of cattle having the contagious typhus or Russian plague, *Gamgee* 411–413.

S.

Scab in Sheep. Great prevalence of the scab in sheep since the extensive travelling of sheep by railway trucks, *Gamgee* 282. 284——Interference is loudly called for as regards the scab in sheep; facility of preventing or curing it, *ib.* 283. 295–297——Tobacco juice is one of the remedies which may be used for scab, 542–544.

Suggestions in regard to the application of the Cattle Diseases Prevention Bill to scab in sheep, as being a contagious disease, *Simonds* 1770–1772. 1786. 1905, 1906——Circumstance of its having been at the suggestion of the Highland Society, that scab in sheep was added to the schedule; witness has no decided opinion on this point, *Maxwell* 2153–2157.

Views of the London importers in favour of the exclusion of scab in sheep from the Cattle Importation Bill; examination hereon, *Hönck* 2202–2216. 2245–2247. 2275–2277.

Statement opposed to the removal of restrictions in the case of scabby sheep from abroad, *Simmonds* 2339–2345——Considerations as to the regulations desirable in the case of scab in sheep; conditions under which a penalty might be inflicted for sending scabby sheep to markets and fairs, whilst as store sheep they should be entirely excluded, if practicable, *Giblett* 2439–2447. 2478. 2487–2495——Advantage if sheep with scab could be excluded from store markets, *Congreve* 2528–2531. 2557–2559——With proper care scab can be easily cured, *Congreve* 2528; *Garnett* 3898. 3932.

Statement in support of the adoption of stringent regulations in regard to scab in sheep, *Whitsed* 2610, 2611. 2645–2653——Great difficulty in a buyer detecting the existence of scab, *ib.* 2652, 2653——Approval of restrictions as regards scabby sheep, and of their being excluded from live markets, *Higgins* 2902–2908.

Doubt whether a penalty should be attached to sending scabby sheep to fat markets, unless they were in a very bad state, *Stott* 3089–3091. 3100–3103——Objection to scab being included in the schedule of the Diseases Prevention Bill, except when it is neglected; importance of provisions applicable in such case, *Swan* 3133. 3136. 3164–3170. 3196——Facility of curing scab in sheep; it is, however, very infectious, *ib.* 3133. 3137, 3138——Approval of a penalty for knowingly sending scabby sheep to market, *Tegg* 3231, 3232; *Brown* 3272–3280. 3312, 3313.

Evidence on the subject of scab in sheep and its infectious character; grounds for objecting, nevertheless, to any attempt to exclude such sheep from fairs and markets, *Kilbee* 3357, 3358. 3419–3425. 3497–3499. 3546–3563. 3589–3641——Evidence to the effect that scab in sheep, equally with pleuro-pneumonia, cannot be guarded against by legislation, and the proposed restrictions, *Aungier* 3739–3758——Circumstance of witness having frequently purchased scabby sheep, as being generally free from liver disease; he has got them at a reduced price, *Garnett* 3863–3866. 3871–3874. 3916–3918.

Only those animals which on arrival from abroad are actually affected with the disease should be detained, *Rep.* v.

Schleswig and Holstein. Strict regulations in Holstein and Schleswig, *Simonds* 1908, 1944——Precautions taken in Schleswig and Holstein in regard to pleuro-pneumonia, but without any good result, *Hönck* 2218–2220.

Scotland. See *Ayrshire. Cattle Importation Bill. Dairy Cows. Edinburgh. Fairs and Markets. Foot and Mouth Disease. Foreign Cattle. Highland Agricultural Society. Leith. Mortality from Disease. Pleuro-pneumonia. Railway Conveyance. Stockowners.*

Sheep. See *the Headings generally throughout the Index.*

Sheep-Pox. See *Small-pox in Sheep.*

Simmonds, William, M.R.C.V.S. (Analysis of his Evidence).—Is veterinary inspector to the Customs; inspects chiefly at Blackwall, 2295–2300——Statistics of the number of oxen, sheep,

Report, 1864—*continued.*

Simmonds, William, M.R.C.V.S. (Analysis of his Evidence)—*continued.*

sheep, pigs, &c. imported into this country in 1842, and subsequent years; progressive increase, 2301-2307——Large majority of the imported cattle which come to the Port of London, 2308-2313——Improvement in the condition of the imported animals, 2314, 2315——Instances of witness having been ordered to take steps for preventing the import of animals with infectious disease, 2316-2321.

Number of imported animals of different kinds detained and slaughtered in the Port of London in 1863, and proportion of these which turned out fit for food, 2323-2325——Very few of the animals unfit for food which had the foot and mouth disease, 2326-2329——Diminution of this disease, Hamburg being the only port from which it comes, 2330-2332——Opinion that the foot and mouth disease, as being highly contagious, should not be excluded from the Bill, 2333-2335——Increased import of cattle with the foot and mouth disease if all restrictions were removed, 2333. 2368-2370. 2391, 2392——Instead of, as at present, detaining the whole of the beasts when any of them have the foot and mouth disease, those only under the disease should be detained, 2335-2338. 2367, 2368.

Statement opposed to the removal of restrictions in the case of scabby sheep from abroad, 2339-2345——Few diseases generally from any port but Hamburg, 2343——Considerable importation of store sheep, so that restriction is very important, 2344, 2345. 2398-2407——Inexpediency of unduly limiting the inspection to a certain list of diseases, 2346-2354——Less prevalence and milder form of pleuro-pneumonia than in former years, 2355-2357——Non-objection to the appointment of a referee in cases of dispute between the inspector and importer; this appointment should not be in the veterinary college, 2358-2362.

Explanation of the case of the "Leo" in March 1859, to the effect that the cattle were properly stopped by the inspectors, 2363, 2364. 2393-2397——Danger of inspection of store cattle, if foreign cattle with the foot and mouth disease were allowed into the markets, 2371-2373. 2387-2392. 2398-2414——Approval in principle of the same restrictions being applied to cattle from Ireland or Scotland as from abroad; difficulty in practice, 2374-2385——Witness considers the foot and mouth disease most formidable and contagious, and strongly objects to its exclusion from the Bill, 2413, 2414.

Simon, John, F.R.S. (Analysis of his Evidence.)—Is medical officer of health of the Privy Council, 1560——Origination by the Privy Council of the investigations which have been made into cattle diseases and diseased meat, 1561-1563——Opinion that many of the cases of injury to health, attributed to diseased meat, have really arisen from putrid meat, 1565——Belief that parasitic diseases have beyond doubt been produced by the use of meat in an improper or ill-cooked state, 1565. 1573-1580——Occurrence also of some cases of carbuncle; doubt as to the extent of increase of this disease, 1565. 1567. 1623, 1624.

Absence of evidence of injury to human health from the meat of animals having pleuro-pneumonia, steppe-murrain, &c., 1565-1567. 1587. 1598, 1599. 1618, 1619——Doubt as to any cases of injury to health from the meat of animals which have had aptha, or the foot and mouth disease, 1568-1570. 1620, 1621——Occurrence of some cases of injury from the milk of cows under this disease, 1571, 1572. 1594, 1595——Clear evidence that parasitic disorders, such as tape-worm and trichiniasis, are produced in the human frame by the use of under-cooked or raw meat, more especially pork; instances of the production of the latter disease in Germany, 1573-1580. 1600-1605. 1611-1613. 1617.

Exceptional circumstances under which the parasitical disorders are communicable from animal to animal, 1581-1584——Reference to several diseases mentioned in the Bill as not having been proved to have been injurious through the use of the meat, 1585-1588——Measles in pigs, &c., as producing tapeworm, may be said to have been proved injurious to health, 1587, 1588——Concurrence in Professor's Gamgee's views as to the contagious character of pleuro-pneumonia, 1589-1592. 1606-1610——Also as to the contagious character of the foot and mouth disease, 1593——This disease is not a severe one, and rarely proves fatal, 1596, 1597.

Difficulty of introducing any provisions into the Bill relative to trichiniasis, 1614-1617. 1646-1648——Better state of the public health generally than in former years; it does not follow that the use of diseased meat is not without injurious effect, 1625-1628. 1649-1666——Limited condemnation of meat in the City when witness was medical officer of health to the Corporation; the matter was not under witness personally, 1629-1633——Further expression of the opinion that there is no serious injury to health from the use of the meat of animals suffering from pleuro-pneumonia or aptha, 1634-1637.

Approval of the feeding of pigs with flesh being prohibited, this being a fruitful source of disease, 1639-1645——Suggested restriction upon the sale of the meat of animals having carbuncular disease, 1667-1672——Means of determining from an inspection of the meat whether the animal has had carbuncular disease, 1673, 1674. 1678-1680——An inspection at the slaughter-houses would be highly desirable, 1675-1677——Bruised state of some meat sent to market, without its being injurious to health, 1680, 1681. 1693, 1694.

Report, 1864—*continued.*

Simon, John, F.R.S. (Analysis of his Evidence)—*continued.*

Information in connection with the case cited by Dr. Letheby of injury to a large number of persons from eating sausages made from the meat of a diseased animal; grounds for concluding that part of the meat was in a decomposed state, and that this was the probable cause of the mischief, 1682–1692. 1695–1699.

Simonds, Professor James Beart. (Analysis of his Evidence.)—Professor in the Royal Veterinary College; has had a long experience relative to the diseases among animals, 1700–1702——Has had special opportunities of becoming acquainted with sheep-pox and the other diseases mentioned in the Bills, 1703–1705——Peculiarly contagious character of small-pox in sheep, 1706——Introduction of sheep-pox into this country entirely through the importation of infected sheep, 1707–1710——Approval of the provisions in the present Bills on the subject of sheep-pox, and of a prohibition upon the import of infected sheep, 1711–1720.

Grounds for concluding that pleuro-pneumonia among cattle is less prevalent than in former years, and that the loss from this cause is not at present very great, 1721–1728——Infectious character of pleuro-pneumonia when in an advanced stage or severe form; during incubation it is not infectious, 1729–1733. 1787, 1788. 1855, 1856——Spread of this disease as an epidemic, independently of infection, 1729, 1730. 1736——Facility of determining whether an animal is suffering from pleuro-pneumonia, 1734, 1735. 1789–1791——Considerations as to the legislative provisions desirable in the case of this disease; objection to the proposal in regard to the destruction and burial of animals suffering under the disease, 1736–1751. 1780–1785. 1792.

Less prevalence of the foot and mouth disease than in some former years, 1752–1755——This disease is communicable, but is not highly contagious, 1756——Decided objection to the restrictions proposed in the Bills on the subject of this disease, and the import of animals affected with it, 1757–1762. 1777. 1778——Statement showing that the foot and mouth disease was very prevalent in this country before the importation of foreign cattle, 1763–1765——Great increase in the import of foreign cattle in 1846, on the removal of the previous duty of 1 *l.* per head, 1763, 1764.

Evidence showing that pleuro-pneumonia was not originated in this country by the import of infected cattle, 1766——Impracticability of arresting the propagation of measles in pigs by any regulations as to their contact in markets, 1767. 1779——Peculiarly dangerous character of steppe-murrain or rinderpest, 1768——Approval of this disease being retained in the Bill, although it is not probable that it will be brought into the country, 1768, 1769. 1780. 1834–1837.

Suggestions in regard to the application of the Bill to scab in sheep, 1770–1772. 1786——Obstacles to an effectual system of inspection at the large markets and fairs, with a view to excluding or keeping separate the diseased animals, 1773, 1774. 1797–1804——Effect of inspection in preventing diseased animals being sent for sale, 1775, 1776. 1803, 1804——Approval of enlarged restrictions upon the sale of glandered animals, 1780. 1804–1808——The power of applying Orders in Council under the Bill should be limited to glanders, sheep-pox, and steppe-murrain, 1780. 1793–1796.

Rare instances of outbreaks of small-pox in sheep, 1804. 1876, 1877——Objections to a warranty as a means of protecting the purchaser of animals subsequently ascertained to be diseased; exception in the case of small-pox, 1809–1814——Explanation as to witness's experience in Wiltshire in regard to the effect of inoculation in arresting the progress of small-pox; very favourable results derived, 1815–1824——Practical difficulties in the way of excluding from fairs sheep with the small-pox, 1825–1828. 1857–1860.

Further statement that pleuro-pneumonia does not always arise from contagion, 1829–1833——Question of excluding animals under the foot and mouth disease from the markets, further adverted to with reference to the effect upon the market supply generally, and the price of meat, 1838–1843——Dissent from the view that this disease is very readily taken as an infection, 1844–1847.

Disapproval of a system of inspection at large fairs, even though the animals in the more advanced stages of disease might be readily detected, 1848–1854. 1857–1860——Objection to the principle of a quarantine, as applied to animals, 1859——Necessity, if there were a sanatorium at each large fair, of a classification and separation of diseased animals in it, *ib.*

Considerable experience of cattle diseases obtained by witness, as veterinary professor of the Royal Agricultural Society, 1861–1866——Inefficiency of inoculation for the prevention of pleuro-pneumonia, 1867——Estimate that the average loss by pleuro-pneumonia is not more than one-half per cent., 1868–1870——The loss of cattle, as calculated by Professor Gamgee, is altogether too high, 1870——The foot and mouth disease is rarely fatal, 1870, 1871——Absence of injury to the public health by the consumption of animals suffering under this disease, 1872–1875.

Occurrence of an outbreak of small-pox in sheep in 1710, since which period there have been but two outbreaks in this country, that is, in 1847 and 1862; 1876, 1877——The

Simonds, Professor James Beart. (Analysis of his Evidence)—*continued.*

——The sheep-pox cannot be communicated to the human subject, nor to cattle of any kind, 1877——Origin of the outbreak of 1847 in the import of some diseased sheep from Tonning, 1878, 1879 —— Imperfect and unsatisfactory character of the inoculation carried out in 1848-49; 1880——Statement as to the origin of the outbreak of sheep-pox in Wiltshire, in 1862, upon which occasion witness was consulted at an incipient stage of the disease, 1881, 1882.

[Second Examination.] Particulars relative to the extent of the outbreak of sheep-pox in Wiltshire, the mortality which ensued, and the measures resorted to for arresting the progress of the disease, 1883–1887——Very satisfactory results of inoculation in Wiltshire further adverted to, 1883, 1884. 1887——Conclusion from the experiments in Wiltshire in 1862 and in Norfolk in 1848, that vaccination is useless for the prevention of small-pox in sheep, 1884–1888——Impracticability of an efficient separation as a preventive to the spread of sheep-pox where there are large flocks, 1886.

Grounds for concluding that reliable information cannot be obtained from the cattle insurance returns as to the average loss by disease, 1889——Further particulars on the subject of rinder-pest, its destructive character, and the countries to which it has chiefly been confined, 1890–1893——Way in which animals are affected by the rinder-pest disease; it is the most fatal as well as the most contagious of all cattle diseases, 1893——Very strict and effectual regulations in Prussia and Bavaria, 1893–1895.

Expediency of distinguishing in the Bill between such diseases as pleuro-pneumonia and the foot and mouth disease on the one hand, and rinder-pest and small-pox on the other, 1895–1897——Pleuro-pneumonia, glanders, and scab should be excluded from the second part of the Bill, 1897. 1905–1907. 1955–1958——Explanation as to character of pleuro-pneumonia and the remedies for controlling it, 1898–1900——Belief that there is very little infectious disease in Cheshire at the present time, 1901, 1902 ——Milder type in which pleuro-pneumonia now shows itself than in former years, 1902—— Statement that measles in pigs is not a contagious disease, and should be excluded from the schedule attached to the Bill, 1903, 1904—— Contagious character of scab in sheep so that legislation should apply to it, 1905, 1906.

Evidence on the subject of the restrictions in regard to imported cattle, and the respects in which too stringent, 1908–1924—— Strict regulations in Holland, Holstein, and other foreign countries further adverted to, 1908. 1943–1945——Importance of duly qualified inspectors on this side of the water, 1909—— Comment upon the precautions taken by the Customs authorities and the mistake made in the case of the cargo of the "Leo" in 1859; 1910, 1911—— Opinion that the foot and mouth disease should be excluded from the schedule of each Bill before the Committee, 1911–1917. 1932.

Reasons for concluding that the Cattle Importation Bill need not be applied to cattle coming from Ireland or Scotland; approval, however, of regulations for excluding pleuro-pneumonia, 1918–1931——Approval of a fine of 20 *l.* in the case of animals sent from Ireland with pleuro-pneumonia, or of animals sold in England, and suffering, knowingly, from pleuro-pneumonia, 1918–1920. 1933–1938. 1942. 1978–1980—— Belief that there are no facts to show that any injury has resulted from persons eating the meat of animals slaughtered in an advanced stage of pleuro-pneumonia, 1938.

Grounds for concluding that it is useless to inoculate as a check upon the spread of pleuro-pneumonia, 1939–1941. 1981–1986. 2009, 2010——Further evidence opposed to an inspection at the English ports of cattle from Ireland and Scotland, 1946–1954——Consideration of the proposed provisions in regard to diseased cattle or sheep being turned out into roadways, &c., or not being properly fenced in, 1959–1966——Expediency of a penalty upon the exposure of diseased animals for sale in store markets, whereas such exposure in fat markets is not important, and the slaughtering of the animals should alone be required, 1967–1975. 2007, 2008.

Objection to its being left to the railway officials to determine what animals are unfit for transmission by rail except in the case of small-pox in sheep or of lung disease, 1976, 1977. 2011. 2013——Great difficulty in obtaining any efficient inspection at fairs and markets, whilst it is very inexpedient to impose any restrictions unduly interfering with trade, 1979, 1980. 1987–1992. 2003–2008——Fair manner in which the present inspection of imported cattle is carried out; approval hereon of an appeal from the decision of the inspector, 1993–2002—— Suggestions as to the precautions desirable in regard to the cleansing of railway trucks, 2012–2014. 2026–2029——Slight mischief attributed to conveyance in uncleansed trucks, 2014. 2026.

Regulations abroad for preventing the spread of pleuro-pneumonia and foot and mouth disease, but without being effectual, 2015–2019——Neither small-pox in sheep nor rinder-pest need be included in the Bill as regards import from abroad into Ireland and Scotland, 2020–2023 ——The same provisions should, however be applicable to arresting the progress of sheep-pox whether in Ireland or Scotland, or in England, 2024, 2025.

[Third Examination.] Opinion that the use of mercurial ointment in the treatment of scabby sheep is not likely to have the least injurious effect upon the quality of the meat, 2175, 2176.

Report, 1864—*continued.*

Slaughter-houses. Much may be done by keeping a proper supervision over the slaughter-houses, *Gamgee* 418—— Considerable number of private slaughter-houses in the metropolis, all of which should be abolished, *ib.* 782–789——Suggestion that no diseased animals should be allowed to be slaughtered in a licensed slaughter-house; all such animals should be sent to the knackeries, *Burge* 1028, 1029. 1052–1055——Restrictions desirable as to the slaughtering of cattle in private or licensed slaughter-houses, so as to facilitate a proper inspection, *ib.* 1052–1055. 1076, 1077.

Importance of an efficient inspection of slaughter-houses and markets outside the city, *Letheby* 1351–1353. 1493. 1503–1517. 1534–1538——An inspection at the slaughter-houses would be highly desirable, *Simon* 1675–1677.

Explanation that, as regards the slaughter-house clauses suggested by the Highland Society, they cannot properly be introduced into the Diseases Prevention Bill, *Maxwell* 2113–2116—— Evidence in support of the proposition of the society that there should be slaughter-houses at which all diseased cattle should, under penalty, be killed, and that such slaughter-houses should be subject to rigid inspection, *ib.* 2117–2120. 2143–2146.

Suggestion in regard to farmers being allowed to send diseased animals to some place set apart for the slaughter of such animals under inspection, as at Leeds, *Higgins* 2852–2855. 2937, 2938.

Regulations in force in different continental cities as regards the slaughtering of animals, *App.* 197–200.

See also *Belgium.* *Edinburgh*, 2. *Leeds.* *Paris.*

Small-pox in Sheep:

Very contagious character of small-pox in sheep; it is, however, very rare in this country, *Gamgee* 272, 273. 275–278; *Simonds* 1706. 1804. 1876, 1877——Suggested prohibition upon foreign sheep being sold as store sheep in England, as the best means of preventing the introduction of small-pox in sheep, *Gamgee* 274——Various regulations desirable in the event of the small-pox breaking out in any district, *ib.* 278–281.

Introduction of sheep-pox into this country entirely through the importation of infected sheep, *Simonds* 1707–1710——Approval of the provisions of the present Bills on the subject of sheep-pox, and of a prohibition upon the import of infected sheep, *ib.* 1711–1720——Approval of a warranty with reference to the case of small-pox in sheep, *ib.* 1812–1814.

Explanation as to witness's experience in Wiltshire in regard to the effect of inoculation in arresting the progress of small-pox; very favourable results derived, *Simonds* 1815–1824——Practical difficulties in the way of excluding from fairs sheep with the small-pox, *ib.* 1825–1828. 1857–1860——Occurrence of an outbreak of small-pox in sheep in 1710, since which period there have been but two outbreaks in this country; that is, in 1817 and 1862, *ib.* 1876, 1877.

The sheep-pox cannot be communicated to the human subject, nor to cattle of any kind, *Simonds* 1877——Origin of the outbreak of 1847 in the import of some diseased sheep from Tonning, *ib.* 1878, 1879——Imperfect and unsatisfactory character of the inoculation carried out in 1848–49, *ib.* 1880.

Statement as to the origin of the outbreak of sheep-pox in Wiltshire in 1862, upon which occasion witness was consulted at an incipient stage of the disease, *Simonds* 1881, 1882——Particulars relative to the extent of the outbreak of sheep-pox in Wiltshire, the mortality which ensued, and the measures resorted to for arresting the progress of the disease, *ib.* 1883–1887——Very satisfactory results of inoculation in Wiltshire further adverted to, *ib.* 1883, 1884. 1887.

Conclusion, from the experiments in Wiltshire in 1862, and in Norfolk in 1848, that vaccination is useless for the prevention of small-pox in sheep, *Simonds* 1884–1888—— Impracticability of an efficient separation as a preventive to the spread of sheep-pox where there are large flocks, *ib.* 1886——Neither small-pox in sheep nor rinder-pest need be included in the Bill as regards imports from abroad into Ireland and Scotland, *ib.* 2020. 2023——The same provisions should, however, be applicable to arresting the progress of sheep-pox, whether in Ireland or Scotland, or in England, *ib.* 2024, 2025.

Approval of stringent regulations with reference to sheep-pox, *Giblett* 2448; *Congreve* 2526, 2527; *Brown* 3261–3271. 3314–3318; *Kilbee* 3539–3542. 3580. 3593, 3594.

Particulars relative to the steps taken upon the occasion of sheep-pox in Wiltshire; vaccination and separation, as recommended by Professor Gamgee, were very effectual, whilst inoculation, as recommended by Professor Simonds, was ineffectual, *Brown* 3281–3311——Credit due to professor Gamgee with reference to the measures recommended by him upon the outbreak of small-pox in sheep in Wiltshire, *ib.* 3282. 3303. 3308.

Spain. Healthy state in which Spanish cattle are imported, *Gamgee* 133. 137; *Simonds* 2343.

Splenic Apoplexy. Apparently excellent character of the meat of animals where there has been an outbreak of splenic appoplexy, whereas really it is most injurious to health, *Gamgee* 352–360.

Report, 1864—*continued.*

Steamboats. Frequency of cattle from Ireland catching the foot and mouth disease in the steamboats, *Gamgee* 941, 942——Advantage of the proper cleansing of the vessels bringing the cattle to this country, *Hönch* 2278-2287——Approval of regulations for more careful conveyance in steamboats and railways, *Swan* 3188-3196——Grounds for the statement that the cattle suffer less on board steamboats than on the railways, *Kilbee* 3378-3384. 3400-3407. 3449-3455. 3480-3485——Objection to importing Irish cattle by the shorter sea passage to Holyhead as compared with the longer passage to Liverpool, and the shorter railway transit subsequently; decrease of conveyance by the former route, *ib.* 3507-3515. 3582-3588.——*See* also *Conveyance or Transit.*

Steppe Murrain. See *Rinder-pest.*

Stockowners (Scotland). Views of the stockowners in Scotland in disapproval generally of the Cattle Diseases Prevention Bill, *Swan* 3144-3149.

Store Animals. Considerable importation of store sheep, so that restriction is very important, *Simmonds* 2344, 2345. 2398-2407——Small number of beasts sold at the London cattle markets for store purposes, *Giblett* 2419-2423——Very few sheep are sold in the London market for store, *ib.* 2424, 2425.

See also *Fairs and Markets. Fat Markets. Foot and Mouth Disease. Foreign Cattle. Inspection. Pleuro-pneumonia.*

Stott, John. (Analysis of his Evidence.)—Represents the Chamber of Agriculture at Newcastle-on-Tyne, 3076-3078——Considers that a penalty should be imposed upon persons knowingly sending cattle with pleuro-pneumonia to store markets, but that if sold in fat markets for slaughtering the penalty should hardly apply, 3080-3084. 3096-3099. 3116-3123——It should rest with the inspectors to see that improper meat was not sold, 3084. 3085——Improved inspection now in operation at Newcastle, 3086-3088——Doubt whether a penalty should be attached to sending scabby sheep to fat markets, unless they were in a very bad state, 3089-3091. 3100-3103.

Small number of cattle labouring under lung disease brought into Newcastle in recent years, 3088. 3124——Advantage anticipated from the cleansing of railway trucks, 3092-3095. 3108——Expediency of all inspectors having a veterinary diploma, 3095——Frequent infection from Irish cattle, so that inspection is very desirable in this direction, 3099. 3106——Obstacle to inspecting cattle travelled by road before entering fairs and markets, 3104-3107——Short period in which the foot and mouth disease will show itself after being contracted, 3109-3112.

Summary Convictions (Diseased Meat). Difficulty in getting summary convictions at the Mansion House, on account of the interpretation there placed upon the Nuisances Removal Amendment Act; at Guildhall there is no such difficulty, *Letheby* 1355. 1361-1368. 1522-1529. 1531——Number of convictions and prosecutions at the Old Bailey and before the magistrates, *ib.* 1362, 1363. 1369-1371.

Swan, John. (Analysis of his Evidence.)—Has a very large experience as a live stock agent at Edinburgh and Glasgow, 3125-3129——Great decrease in pleuro-pneumonia in the Edinburgh and Glasgow markets, and throughout Scotland, 3130, 3131. 3179, 3180——Considerable prevalence of the disease in dairy cows, 3132——Facility of curing scab in sheep; it is, however, very infectious, 3133. 3137, 3138——Objection to scab being included in the schedule of the Bill, except when it is neglected, 3133-3136——Satisfactory machinery for inspection throughout Scotland, 3134——Approval of the clause for the cleansing of cattle trucks, 3139.

Large import of foreign cattle to Leith; absence of pleuro-pneumonia, 3140, 3141. 3207——Efficient inspection now at Leith, 3141. 3150-3152——Mistake under which some cattle were rejected at Leith by the Customs officers, and were thrown into the sea, 3142, 3143——Views of the stockowners in Scotland in disapproval generally of the Diseases Prevention Bill, 3144-3149——Objection to any severe restrictions in connexion with pleuro-pneumonia except in the case of store cattle, 3148. 3150. 3175. 3197-3204——Expediency of penalty in cases of grazing cattle being knowingly sold in a diseased state, 3149——Difficulty of detecting the lung disease in an early stage, 3150, 3153.

Practice in Edinburgh and Glasgow in regard to returning the purchase money to the butchers for cattle condemned after being slaughtered, if killed on the day they are bought, 3154-3163——Further approval of provisions with a view to the prevention of scab in sheep, 3164-3170. 3196——Objection to the railway officials having power to reject cattle as diseased, 3171-3175——Considerable disease among the cattle from Ireland on account of the treatment on the journey; regulations required, 3176. 3183-3194.

Impracticability of an inspection at large fairs, 3177, 3178——Approval of regulations for more careful conveyance in steamboats and railways, 3188-3196——The chief thing required is inspection in the slaughter-houses and butchers' shops, 3198——Satisfaction expressed with the removal of the foot and mouth disease from the Home Bill; doubt whether it should be struck out also from the Importation Bill, 3205-3208.

Report, 1864—*continued.*

Switzerland. Strict precautions taken in Switzerland against the spread of disease, *Gamgee* 967, 968.

Regulations in force in the canton of Berne, as regards the slaughtering of animals and the sale of meat, *App.* 198, 199.

T.

Tapeworm. Cause of the fleshworm in man, by the use of underdone meat, especially pork, in which the parasitic animals have not been destroyed, *Gamgee* 300–310; *Simon* 1573 ——Effect of diseased meat, and of raw or badly cooked meat (more especially pork) in causing tapeworm and other parasitic diseases, *Brinton* 1267–1284. 1303——Witness cannot speak to any increase of tapeworm in recent years, *Letheby* 1519, 1520.

See also *Parisitic Diseases.*

Tegg, George. (Analysis of his Evidence.)—Is a veterinary surgeon and inspector of the metropolitan cattle market, 3210, 3211——Advantage of the power of witness to seize cattle and dead meat in the market, unfit for food, 3212–3215——Way in which witness exercises this power, 3216–3218——Objection to foreign cattle with the foot and mouth disease being excluded from the market, except in very isolated cases, 3219–3228. 3245–3247.

Decided decrease of pleuro-pneumonia, 3229, 3230——Approval of a penalty for knowingly sending scabby sheep to market, 3231, 3232——Approval also of a penalty in certain stages of pleuro-pneumonia, 3233–3235——Absence of injury to the meat if the animal be killed in the earlier stages of pleuro-pneumonia, 3237, 3238——Very little disease among the foreign cattle at the metropolitan market, 3242–3244.

Trade. Some of the restrictions proposed, would be a destruction of all trade, *Kilbee* 3333. 3369. 3371——Respects in which the restrictions and inspection proposed in the Cattle Diseases Prevention Bill would interfere injuriously with trade, *Aungier* 3672–3685. 3708–3710. 3822.

Trichiniasis. Clear evidence that parisitic disorders, such as tapeworm and trichiniasis, are produced in the human frame by the use of under-cooked or raw meat, more especially pork; instances of the production of the latter disease in Germany, *Simon* 1573–1580. 1600–1605. 1611–1613. 1617——Difficulty of introducing any provisions into the Bill relative to trichiniasis, *ib.* 1614–1617. 1644–1648.

V.

Value of Land. Tendency of the Cattle Diseases Prevention Bill to decrease the value of grazing land in Ireland, *Aungier* 3764.

Veal. Liability of veal to become partly putrid, and in such state to be very injurious to health, *Simon* 1565.

W.

Warranty. See *France. Liability of Vendors.*

Watering of Cattle (*Conveyance by Railway*). Decided objection to the provision as to cattle sent by railway being watered every twelve hours, on account of the injury arising from frequent and sudden stoppages, *Kilbee* 3373–3377. 3409–3413. 3437–3448. 3471—— Watering should take place only when the animals are loaded and unloaded, *ib.* 3377.

Whitechapel. Large sale of diseased meat in the outskirts of the city, as in Whitechapel, &c., *Letheby* 1348–1351. 1375. 1534–1538.

Whitsed, James. (Analysis of his Evidence.)—Farmer near Peterborough; represents the views of neighbouring farmers, 2605–2607——Considers that the foot and mouth disease should be withdrawn altogether from the Diseases Prevention Bill, 2608, 2609——Scab should be included in the Bill, 2610, 2611——Non-objection to a power in the Privy Council to order the destruction and burial of animals in cases of highly contagious disease, 2613–2616——Advantage of a cleansing of railway trucks, 2617——Approval of the railway companies having power to refuse to carry cattle considered to be diseased, 2618, 2619.

Doubt as to the practicability of an inspection of fairs and markets, 2620–2624—— Sufficiency of a system of penalties, without inspection, 2622–2629——Butchers are very fit persons as inspectors of dead-meat markets, 2630–2633——In the event of animals or meat condemned in the markets, the loss should fall on the original owner, 2634–2638 ——Rare instances in witness's district of animals who are suffering from pleuro-pneumonia being sent to the local markets, 2639–2644——Statement in support of the adoption of stringent regulations in regard to scab in sheep, 2645–2653.

Wiltshire. See *Small-pox in Sheep.*

INDEX

TO THE

REPORT.

FROM THE

SELECT COMMITTEE

ON

CATTLE DISEASES PREVENTION,

AND

CATTLE, &c. IMPORTATION BILLS.

Ordered, by The House of Commons, *to be Printed,*
27 *June* 1864.

431—I.

Under 8 *oz.*

REPORT

FROM THE

SELECT COMMITTEE

ON

TRADE WITH FOREIGN NATIONS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1864.

Veneris, 15° *die Aprilis*, 1864.

Ordered, THAT a Select Committee be appointed to inquire into the Arrangement between the Foreign Office and the Board of Trade in reference to Trade with Foreign Nations.

Martis, 26° *die Aprilis*, 1864.

Committee nominated.

Mr. William Edward Forster.	Mr. Charles Turner.
Mr. Milner Gibson.	Mr. Bazley.
Mr. Henley.	Mr. Somerset Beaumont.
Mr. Cobden.	Mr. Gregory.
Mr. Layard.	Mr. Kinnaird.
Mr. Seymour FitzGerald.	Mr. Butler-Johnstone.
Sir Stafford Northcote.	Mr. Pender.
Sir Minto Farquhar.	

Ordered, THAT the Committee have Power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Veneris, 15° *die Julii*, 1864.

Ordered, THAT the Committee have Power to report their Observations, together with the Minutes of Evidence taken before them, to the House.

REPORT - - - - - - - - - - - - - p. iii
PROCEEDINGS OF THE COMMITTEE - - - - - - p. vii
MINUTES OF EVIDENCE - - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - - - p. 256

REPORT.

THE SELECT COMMITTEE appointed to inquire into the Arrangement between the FOREIGN OFFICE and the BOARD of TRADE in reference to the TRADE with FOREIGN NATIONS;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:—

IN conducting the inquiry referred to them, your Committee have had the advantage of the evidence of the present and of the late Secretary of State for Foreign Affairs; of the President of the Board of Trade and of one of his predecessors; of the Earl of Clarendon, who has filled both offices; of the principal permanent officials in both Departments; of Mr. Morier, a member of the Diplomatic Service; and of several gentlemen, Presidents of Chambers of Commerce and others, representing important commercial interests.

There has also been laid before them many documents of importance, which they have ordered to be printed as an Appendix; among others, the correspondence between the two Departments in reference to the Belgian and Italian Commercial Treaties referred to them by the House.

The Committee find that the present arrangement between the two Offices contemplates that the Foreign Secretary should refer all matters connected with trade which come before him, to the Board of Trade; for advice, if they relate to questions on which he has to act; and for publication, if they relate to information which it is desirable that the Government should make known.

In consulting the Board of Trade, the general system appears to be that an official letter is written by one of the Under Secretaries for Foreign Affairs to one of the Secretaries of the Board of Trade, who conveys to the Foreign Office the opinion of the President after he has had the opportunity of conferring with the officials of his own Department. It appears to be the rule, though not without exception, that neither the Secretary for Foreign Affairs, the Parliamentary Under Secretary, nor the permanent officials in the Foreign Office, are in personal communication with the permanent officials in the Board of Trade, and that consequently the communication between the two Departments is conducted by correspondence, except in so far as the Foreign Secretary consults the President as his colleague.

Your Committee are of course unable to state to what extent this personal intercourse between the two heads of Departments is carried on; but with regard to the official correspondence, they find that it is at the discretion of the Foreign Secretary, whether he asks for the advice of the Board of Trade, or follows it, or gves reasons why he does not do so.

It appears to be customary for the Foreign Office to forward to the Board of Trade all information upon commercial matters received from Members of the Diplomatic or the Consular Services; but if a Despatch from a Foreign Minister or Consul contains a reference to matters other than commercial, the commercial information only is forwarded.

With the exception of some correspondence with the Consuls under the Mercantile Marine Act, there is, as a rule, no direct communication between the Board of Trade and the Members of the Diplomatic or the Consular Services.

With regard to the representations by the Commercial Community to Government upon foreign trade, there appears to be no rule or practice defining to which Department they should be made; but if they are made to the Board of Trade, they are forwarded from thence to the Foreign Office; and if to the Foreign Office, the opinion of the Board of Trade is generally taken respecting them.

In the case of any individual merchant having a complaint to make connected with foreign trade, if he applies to the Board of Trade his complaint is forwarded to the Foreign Office; and if he applies direct to the Foreign Office, it appears to be at the discretion of that Office whether or not the opinion of the Board of Trade is taken.

There appears, also, to be no rule determining the Minister of whom questions relating to foreign trade should be asked in Parliament.

The Foreign Office does not generally make known to the public the facts relating to trade of which it is informed; such as alterations in foreign tariffs, but forwards them to the Board of Trade for publication by that Department in the "Gazette."

There appears to be a difference between the two Departments in the manner in which they respectively manage such business as arises from their communication with each other. In the Board of Trade there are officers whose especial duty it is to attend to foreign commerce; but in the Foreign Office there are no such officers; that Department apportioning almost all its business among its clerks geographically.

This being the arrangement between the two Departments, Your Committee find from the witnesses they have examined, and also from memorials from Chambers of Commerce referred to them, that dissatisfaction, with regard to its present working, is felt by the commercial community upon the following grounds:—

1st. A belief, that from the Foreign Office having to take the opinion of another Department, there is delay, both in carrying on negotiations on commercial matters with foreign countries, and in carrying out the representations, and in redressing the grievances of British subjects.

2dly. A belief that there may be unnecessary delay in the publication of important information, from its not being issued by the Office which receives it.

3dly. A fear, that as the permanent officials whose duty it is to collect and give information connected with foreign trade are not in the Foreign Office, nor in personal contact with the Foreign Secretary, the latter may not be in possession of the information necessary for him to treat such commercial questions as come before him.

4thly. A fear, that in addition to a want of the necessary information, the Foreign Secretary may, in such questions as have both a political and a commercial bearing, lose sight of the latter from the former alone being kept constantly under his eye by the officials connected with his own Department.

5thly. A fear that the members of the Diplomatic and Consular Services may not be able to promote the interests of commerce so efficiently as they would, if they were in direct communication with a Department informed respecting their interests, and—

6thly. A complaint by commercial men, that if they go to the Foreign Secretary, he has to refer their representations to the Board of Trade in order to learn what action to take; and that if they make such representations to the President of the Board of Trade, he has no power to carry them out himself;—and that if, in consequence of this double action between the two Departments, they make representations to both, they are not confident that the impression they make is the same in both cases, or that the action of the two Offices will be harmonious.

Upon examination of the permanent officials, in reference to the above complaints, your Committee find that an opinion prevails at the Foreign Office that either they are unfounded, or that they arise from inherent difficulties which cannot be satisfactorily removed; but by the Board of Trade, on the other hand, it is admitted that some of these complaints are not without foundation, and that the machinery needs improvement.

In order to remove the dissatisfaction felt by the commercial community, your Committee have, most carefully considered the suggestions made to them which have tended, in two distinct, or rather opposite, directions;—on the one hand, that the Foreign Office should be self-sufficing for commercial as well as for other matters, and should no longer refer them to the Board of Trade; and, on the other hand, that the present relation between the two Offices should continue, but should be improved.

In favour of the first of these courses, the arguments alleged are,—

1st. That it is undesirable for one Department to act by or through another, unless it is absolutely unavoidable.

2ndly. That there is no necessary reason why the Foreign Office should not have within itself the means of obtaining information upon commercial matters; and that the sole change needed would be the establishment of a Commercial Department in the Foreign Office, by the transfer thereto, from the Board of Trade, of two or three of its permanent officials; and,

Lastly. That if the Foreign Office can be made self-sufficing in the conduct of commercial business, it would be more efficient, inasmuch as the Minister who actually conducts all Foreign affairs would be in direct communication not only with those servants of Her Majesty who give him information from abroad, but also with the representatives of commercial interests at home, and with those officials whose duty it would be to inform him in relation to such interests.

These opinions have been expressed by several witnesses, and especially with great clearness by Mr. Cardwell, as the result of his experience when President of the Board of Trade. On the other hand, strong objections have been made to such change by all the Foreign Secretaries examined by the Committee, and by Mr. Hammond, the permanent Under Foreign Secretary, on the grounds: that it would lead to embarrassment in the transaction of the business of the Foreign Office if there were within it a separate Commercial Department; that the business of this Office is already so great that it would be impossible without such Department to undertake the details of commerce; and that even if there were such a Department, it would still be necessary to consult the Board of Trade, on account of the intimate connection between foreign and domestic commerce.

Your Committee do not consider that these objections are, in themselves, conclusive against a change which appears reasonable, inasmuch as it would simply oblige the Foreign Office to have within itself the means of obtaining information respecting the business it conducts; but they think there is much force in the argument, that it would not serve the interests of our foreign commerce to leave them without the support and protection of a Special Department in the Government.

In considering this argument, your Committee have thought it right to inquire into the functions performed by the Board of Trade, and they find these to be twofold:—executive, including the administration of most important matters, such as railways and merchant shipping; and consultative, implying that its President is to give advice to other Departments of State upon trade; and to have under him officers who will enable him to do so. Your Committee, however, find that there has been a tendency of late to the diminution of this consultative business of the Board of Trade, which is now consulted by the Foreign Office much more than by other Departments; by the Treasury, and by the Colonial Office, much less than formerly; and by the India Office not at all.

Your Committee are of opinion that, in order to secure harmonious action by the Government upon commercial matters, if that Department be consulted by one Office, it should be by all; as for instance, by the India and Colonial Office, as much as by the Foreign Office, in relation to tariffs levied upon British goods; and that, if commercial men are to be expected to look to the Board of Trade to protect their interests with the Foreign or any other Office, they ought to be able to find in it a staff especially devoted to such object.

Your Committee have also examined into the constitution of the Board of Trade, and they find that while there is no meaning in the title of Board, its nominal members, such as the Lord Chancellor, the Speaker, and the Secretaries

of State never attending, the relation in which the Vice-President stands to the President, is one which leaves the second officer in that Department without such definite duties as those fulfilled by the Parliamentary Under Secretary in either of the Secretaryships of State. They also find that the President is not necessarily a Member of the Cabinet.

Upon the supposition, then, that the Foreign Office continue to consult the Board of Trade, your Committee have had brought before them two suggestions:—

1st. That there should be, within the Foreign Office itself, an officer or officers who should take special charge of the correspondence of the Board of Trade; and

2ndly. That the Board of Trade should be put in direct communication with the Members of the Consular and Diplomatic Services upon commercial matters.

Upon the first of these suggestions different opinions have been expressed, but, after carefully weighing them, your Committee are of opinion that such Departmental change would be of service.

To the second of these suggestions the Committee have devoted much of their time; on the one hand, the advantages of direct communication between the Department whose duty it is to promote commerce, and those servants of Her Majesty whose duty it is to watch the interests of such commerce abroad, are self evident. On the other hand, inasmuch as the Members of the Consular and Diplomatic Services must be appointed by the Foreign Office, it may be inconvenient for them to be in communication with any other Department.

Your Committee, however, agree with the Earl of Malmesbury, and with Sir Emerson Tennent and Mr. Mallet, the two gentlemen who have the charge of foreign commerce at the Board of Trade, in the belief that there will be no danger of collision between the two Offices if all correspondence with Consuls and Foreign Ministers pass through the Foreign Office, so that the Foreign Secretary could acquaint the President of the Board of Trade if the instructions of the latter be at variance with his own.

Your Committee think, that if the Board of Trade were thus enabled to carry on communication through the Foreign Office, that Department would be more quickly informed of such facts as it is its duty to publish;—would be able more speedily to serve the interests of individual merchants;—and, in transactions in which its opinion is asked by the Foreign Office, to obtain that full information without which its opinion is of little value.

Your Committee conclude with the following recommendations for the improvement of the relation of the Foreign Office to the Board of Trade.

1st. That the Board of Trade be placed more nearly upon an equality with the Foreign Office than it is at present, in order that its opinion, when asked, may have due weight, and that its Chief be always a Member of the Cabinet.

2ndly. That the Board of Trade be put in direct communication with the Members of the Diplomatic and Consular Services, and that such communication be carried on through the Foreign Office, with such provisions as shall prevent collision.

Lastly. That an officer or officers be appointed in the Foreign Office to conduct its correspondence with the Board of Trade.

15 *July* 1864.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 29° *die Aprilis*, 1864.

MEMBERS PRESENT:

Mr. Milner Gibson.	Mr. Pender.
Mr. Henley.	Mr. Somerset Beaumont.
Mr. Seymour FitzGerald.	Mr. Butler-Johnstone.
Mr. Forster.	Mr. Kinnaird.
Mr. Layard.	Sir Stafford Northcote.
Mr. C. Turner.	Mr. Cobden.
Mr. Bazley.	

Mr. FORSTER was called to the Chair.

The Committee deliberated.

Motion made, and Question proposed, "That the Board of Trade be requested to furnish to this Committee copies of the Correspondence between the Board of Trade and the Foreign Office, relative to the Commercial Treaties recently concluded between Her Majesty's Government and the Governments of Belgium and Italy, up to the date of the ratification of those Treaties."—(Mr. *S. FitzGerald.*)—Amendment proposed, after the words "copies of" to insert the words "or extracts from."—(Mr. *Milner Gibson.*)—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 6.
Mr. Cobden.	Mr. Pender.
Mr. Henley.	Mr. Seymour FitzGerald.
Mr. Kinnaird.	Mr. Turner.
Mr. Milner Gibson.	Sir Stafford Northcote.
Mr. Layard.	Mr. Butler-Johnstone.
	Mr. Somerset Beaumont.

Main Question put, and *agreed to.*

Motion made, and Question proposed, "That the Committee conduct its proceedings with closed doors"—(Sir *Stafford Northcote.*)—Question put—Committee divided:

Ayes, 6.	Noes, 5.
Mr. Pender.	Mr. Cobden.
Mr. Seymour FitzGerald.	Mr. Henley.
Mr. C. Turner.	Mr. Kinnaird.
Sir Stafford Northcote.	Mr. Milner Gibson.
Mr. Butler-Johnstone.	Mr. Layard.
Mr. Somerset Beaumont.	

[Adjourned to Thursday 26th, at Twelve o'clock.

Jovis, 26° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Somerset Beaumont.	Mr. Seymour FitzGerald.
Mr. Cobden.	Mr. Bazley.
Mr. Layard.	Sir Minto Farquhar.
Mr. Milner Gibson.	Mr. Pender.
Mr. Henley.	Mr. Butler-Johnstone.
Sir Stafford Northcote.	Mr. Gregory.

The Committee deliberated.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 31° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Layard.	Mr. C. Turner.
Mr. Somerset Beaumont.	Mr. Butler-Johnstone.
Mr. Cobden.	Mr. Bazley.
Mr. Gregory.	Sir Stafford Northcote.
Mr. Milner Gibson.	Mr. Henley.
Mr. Seymour FitzGerald.	Mr. Cobden.
Sir Minto Farquhar.	

The Committee examined Mr. *Ripley*, Chairman of the Chamber of Commerce of Bradford.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 3° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Kinnaird.	Mr. Cobden.
Mr. Butler-Johnstone.	Mr. Bazley.
Mr. Pender.	Sir Minto Farquhar.
Mr. Layard.	Mr. Turner.
Mr. Milner Gibson.	Mr. Somerset Beaumont.
Mr. Henley.	

The Committee examined Mr. *Behrens*, Mr. *Atkinson* and Mr. *Ackroyd*.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 7° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Sir Stafford Northcote.	Mr. Cobden.
Mr. Somerset Beaumont.	Mr. Seymour FitzGerald.
Mr. Butler-Johnstone.	Mr. Turner.
Mr. Layard.	Mr. Kinnaird.
Mr. Milner Gibson.	Mr. Pender.
Mr. Henley.	

The Committee examined Mr. *Ashworth* and Mr. *Robert Sturrock*.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 10° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Somerset Beaumont.	Mr. Seymour FitzGerald.
Mr. Butler-Johnstone.	Mr. Bazley.
Mr. Milner Gibson.	Sir Minto Farquhar.
Mr. Layard.	Mr. Pender.
Mr. Henley.	Mr. Turner.
Mr. Cobden.	Mr. Kinnaird.

The Committee examined Mr. *Hammond*, Permanent Under Secretary of State for Foreign Affairs.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 14° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Somerset Beaumont.	Mr. Seymour FitzGerald.
Mr. Gregory.	Mr. Turner.
Mr. Layard.	Sir Minto Farquhar.
Mr. Milner Gibson.	Mr. Kinnaird.
Mr. Henley.	Mr. Pender.
Mr. Cobden.	

The Committee examined Mr. *Wickham* (a Member of the House), and Mr. *Hammond*.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 17° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Somerset Beaumont.	Mr. Kinnaird.
Mr. Layard.	Sir Stafford Northcote.
Mr. Milner Gibson.	Mr. Pender.
Mr. Cobden.	Sir Minto Farquhar.
Mr. Seymour FitzGerald.	Mr. Gregory.
Mr. Bazley.	

The Committee examined Mr. *Booth* and Sir *Emerson Tennent*.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 21° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Pender.	Mr. Seymour FitzGerald.
Mr. Somerset Beaumont.	Mr. Turner.
Mr. Butler-Johnstone.	Sir Stafford Northcote.
Mr. Layard.	Sir Minto Farquhar.
Mr. Milner Gibson.	Mr. Bazley.
Mr. Cobden.	

Sir *Emerson Tennent* further examined.

Mr. *Mallet* examined.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 24° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Pender.	Sir Stafford Northcote.
Mr. Somerset Beaumont.	Mr. Seymour FitzGerald.
Mr. Butler-Johnstone.	Mr. Cobden.
Mr. Layard.	Mr. Kinnaird.
Mr. Bazley.	Sir Minto Farquhar.

The Committee further examined Mr. *Mallet.*

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 28° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Butler-Johnstone.	Mr. Kinnaird.
Mr. Layard.	Mr. Somerset Beaumont.
Mr. Cobden.	Sir Minto Farquhar.
Mr. Bazley.	Mr. Pender.
Mr. Turner.	Mr. Milner Gibson.

The Committee examined the Earl of *Clarendon*, the Earl *Russell* (attending by permission of the House of Lords), and Mr. *Morier.*

Mr. *Mallet* further examined.

[Adjourned to Friday, at Twelve o'clock.

Veneris, 1° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Bazley.	Mr. Layard.
Mr. Turner.	Mr. Butler-Johnstone.
Mr. Seymour FitzGerald.	Mr. Somerset Beaumont.
Mr. Cobden.	

The Committee examined the Earl of *Malmesbury* (attending by permission of the House of Lords), and Mr. *Lindsay*, a Member of the House.

Mr. *Hammond* further examined.

[Adjourned to Wednesday, at Twelve o'clock.

Mercurii, 6° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Pender.	Mr. Kinnaird.
Sir Stafford Northcote.	Mr. Somerset Beaumont.
Mr. Milner Gibson.	Mr. Layard.
Mr. Seymour FitzGerald.	Mr. Cobden.
Mr. Bazley.	Mr. Turner.

The Committee examined Mr. *Cardwell* (a Member of the House), and Mr. *Milner Gibson* (a Member of the Committee).

[Adjourned to Tuesday, July 12, at Twelve o'clock.

Martis, 12° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Gregory.	Mr. Pender.
Mr. FitzGerald.	Sir Minto Farquhar.
Mr. Milner Gibson.	Mr. Butler-Johnstone.
Mr. Layard.	Mr. Kinnaird.
Mr. Somerset Beaumont.	

A Draft Report prepared by the Chairman, read 1°, 2°, and considered paragraph by paragraph, as follows:—

"1. In conducting the inquiry referred to them, your Committee have had the advantage of the evidence of the present and of the late Secretary of State for Foreign Affairs; of the President of the Board of Trade and of one of his predecessors; of the Earl of Clarendon, who has filled both offices; of the principal permanent officials in both Departments; of Mr. Morier, a member of the Diplomatic Service; and of several gentlemen, Presidents of Chambers of Commerce, and others, representing important commercial interests.

"2. There has also been laid before them many documents of importance, which they have ordered to be printed as an Appendix; among others, the correspondence between the two Departments in reference to the Belgian and Italian Commercial Treaties referred to them by the House.

"3. The Committee find that the present arrangement between the two Offices contemplates that the Foreign Secretary should refer all matters connected with trade which come before him, to the Board of Trade; for advice, if they relate to questions on which he has to act, and for publication, if they relate to information which it is desirable that the Government should make known.

"4. In consulting the Board of Trade, the general system appears to be that an official letter is written by one of the Under Secretaries for Foreign Affairs to one of the Secretaries of the Board of Trade, who conveys to the Foreign Office the opinion of the President after he has had the opportunity of conferring with the officials of his own Department. It appears to be the rule, though not without exception, that neither the Secretary for Foreign Affairs, the Parliamentary Under Secretary, nor the permanent officials in the Foreign Office, are in personal communication with the permanent officials in the Board of Trade, and that consequently the communication between the two Departments is conducted by correspondence, except in so far as the Foreign Secretary consults the President as his colleague.

"5. Your Committee are of course unable to state to what extent this personal intercourse between the two heads of Departments is carried on; but with regard to the official correspondence, they find that it is at the discretion of the Foreign Secretary, whether he asks for the advice of the Board of Trade, or follows it, or gives reasons why he does not do so.

"6. It appears to be customary for the Foreign Office to forward to the Board of Trade all information upon commercial matters received from Members of the Diplomatic or the Consular Services; but if a Despatch from a Foreign Minister or Consul contains a reference to matters other than commercial, the commercial information only is forwarded.

"7. With the exception of some correspondence with the Consuls under the Mercantile Marine Act, there is no direct communication between the Board of Trade and the Members of the Diplomatic or the Consular Services.

"8. With regard to the representations by the Commercial Community to Government upon foreign trade, there appears to be no rule or practice defining to which Department they should be made; but if they are made to the Board of Trade, they are forwarded from thence to the Foreign Office; and if to the Foreign Office, the opinion of the Board of Trade is taken respecting them.

"9. In like manner, if any individual merchant has any complaint to make connected with foreign trade, if he applies to the Board of Trade his complaint is forwarded to the Foreign Office; and if he applies direct to the Foreign Office, the rule appears to be, though not without exception, that then, also, the opinion of the Board of Trade is taken.

"10. There appears, also, to be no rule determining the Minister of whom questions relating to foreign trade should be asked in Parliament.

"11. The Foreign Office does not itself make known to the public the facts relating to trade of which it is informed; such as alterations in foreign tariffs, but forwards them to the Board of Trade for publication by that Department in the 'Gazette.'

 "12. There

"12. There appears to be a difference between the two Departments in the manner in which they respectively manage such business as arises from their communication with each other. In the Board of Trade there are officers whose especial duty it is to attend to foreign commerce; but in the Foreign Office there are no such officers; that Department apportioning almost all its business among its Clerks geographically.

"13. This being the arrangement between the two Departments, your Committee find a feeling of dissatisfaction prevalent throughout the commercial community with regard to its present working. They find, from the witnesses they have examined, and also from memorials from Chambers of Commerce referred to them, that this dissatisfaction is felt upon the following grounds:—

"1st. A belief, that from the Foreign Office having to take the opinion of another Department, there is delay, both in carrying on negotiations on commercial matters with foreign countries, and in carrying out the representations, and in redressing the grievances of British subjects.

"2dly. A fear, that as the permanent officials whose duty it is to collect and give information connected with foreign trade are not in the Foreign Office, nor in personal contact with the Foreign Secretary, the latter may not be in possession of the information necessary for him to treat such commercial questions as come before him.

"3dly. A fear, that in addition to a want of the necessary information, the Foreign Secretary may, in such questions as have both a political and a commercial bearing, lose sight of the latter from the fact that the former alone is kept constantly under his eye by the officials connected with his own Department.

"4thly. A fear that the members of the Diplomatic and Consular Services may not be able to promote the interests of commerce so efficiently as they would, if they were in communication with a Department informed respecting their interests.

"5thly. A complaint by commercial men, that if they go to their Foreign Secretary, he has to refer their representations to the Board of Trade in order to learn what action to take; and that if they make such representations to the President of the Board of Trade, he has no power to carry them out himself;—and that if in consequence of this double action between the two Departments, they make representations to both, they are not confident that the impression they make is the same in both cases, or that the action of the two Offices will be harmonious.

"6thly. A belief that there is unnecessary delay in the publication of important information, from its not being issued by that Office which receives it; and,

"7thly. A belief that there is also an unnecessary delay in the redress of individual grievances, from the two Departments having to act together.

"14. Upon examination of the permanent officials, in reference to the above complaints, your Committee find that an opinion prevails at the Foreign Office that either they are unfounded, or that they arise from inherent difficulties which no alteration of machinery could remove; while that, by the Board of Trade, it is admitted that the machinery needs improvement, and especially that there should be such an alteration as would enable that Department to obtain more speedily the information which it is expected to publish, and also to obtain more precise and full information upon matters upon which its opinion is asked by the Foreign Office.

"15. Your Committee is of opinion that these complaints are not without ground, and they have, therefore, most carefully considered the suggestions made to them for their removal, which suggestions have tended, in two distinct, or rather opposite, directions;—on the one hand, that the Foreign Office should be self-sufficing for commercial as well as for other matters, and should no longer refer them to the Board of Trade; and, on the other hand, that the present relation between the two Offices should continue, but should be improved.

"16. In favour of the first of these courses, the arguments alleged are,—

"1st. That it is undesirable for one Department to act by or through another, unless it is absolutely unavoidable.

"2dly. That there is no necessary reason why the Foreign Office should not have within itself the means of obtaining information upon trade as well as upon other matters; and that the sole change needed would be the establishment of a Commercial Department in the Foreign Office, by the transfer thereto, from the Board of Trade, of two or three of its permanent officials; and,

"Lastly, That if the Foreign Office can be made self-sufficing in the conduct of commercial business, it would be more efficient, inasmuch as the Minister who actually conducts all foreign affairs would be in direct communication not only with those servants of Her Majesty who give him information from abroad, but also with the representatives of commercial interests at home, and with those officials whose duty it is to inform the Government in relation to such interests.

"17. These opinions have been expressed by several witnesses, and especially with great clearness by Mr. Cardwell, as the result of his experience when President of the Board of Trade. On the other hand, strong objections have been made to such change by all the Foreign Secretaries examined by the Committee, and by Mr. Hammond, the permanent Under Foreign Secretary, on the grounds: that it would lead to inefficiency in the transaction of the business of the Foreign Office if there were within it a separate Commercial

Commercial Department; that the business of this Office is already so great tnat it would be impossible without such department to undertake the details of commerce; and that even if there were such a department, it would still be necessary to consult the Board of Trade, on account of the intimate connection between foreign and domestic commerce.

" 18. Your Committee do not consider that these objections are, in themselves, sufficient against a change which is sound in theory, inasmuch as it would simply oblige the Foreign Office to have within itself the means of obtaining information respecting the business it conducts; but they think there is much force in the argument that has been maintained by witnesses of great weight, that, for the present, it would not serve the interests of our foreign commerce to leave them without the support and protection of a special department in the Government.

" 19. In considering this argument, your Committee have thought it right to inquire into the functions performed by the Board of Trade, and they find these to be twofold: —executive, including the administration of most important matters, such as railways and merchant shipping; and consultative, implying that its President is to give advice to other departments of State upon trade, and to have under him officers who will enable him to do so. Your Committee, however, find that there has been a tendency of late to the diminution of this consultative business of the Board of Trade, which is now consulted by the Foreign Office much more than by other departments; by the Treasury and by the Colonial Office much less than formerly; and by the Ind Office not at all. They also learn that a commission recently issued by the Treasury, to report on the organisation of the Board of Trade, have advised that instead of the duties of one of the Secretaries being confined to consultative business, he should have executive functions to fulfil as well.

" 20. Your Committee are of opinion that, in order to secure harmonious action by the Government upon commercial matters, if that Department be consulted by one Office, it should be by all; as for instance, by the India and Colonial Office, as much as by the Foreign Office, in relation to tariffs levied upon British goods; and that, if the commercial men are to be expected to look to the Board of Trade to protect their interests with the Foreign or any other Office, they ought to be able to find in it a staff especially devoted to such protection.

" 21. Your Committee have also examined into the constitution of the Board of Trade, and they find that while there is no meaning in the title of Board, its nominal members, such as the Lord Chancellor, the Speaker, and the Secretaries of State never attending, the relation in which the Vice President stands to the President, is one which leaves the second officer in that Department without such definite duties as those fulfilled by the Parliamentary Under Secretary in either of the Secretaryships of State. They also find that the President is not necessarily a Member of the Cabinet.

" 22. Upon the supposition, then, that the Foreign Office continue to consult the Board of Trade, your Committee have had brought before them two suggestions:—

> " 1st. That there should be, within the Foreign Office itself, an officer or officers who should take special charge of the correspondence of the Board of Trade; and,
> " 2dly. That the Board of Trade should be put in direct communication with the Members of the Consular and Diplomatic Services upon commercial matters.

" 23. Upon the first of these suggestions different opinions have been expressed, but, after carefully weighing them, your Committee are of opinion that such Departmental change would be of service.

" 24. To the second of these suggestions the Committee have devoted much of their time; on the one hand, the advantages of direct communication between the department whose duty it is to promote commerce, and those servants of Her Majesty whose duty it is to watch the interests of such commerce abroad, are self-evident. On the other hand, inasmuch as the members of the Consular and Diplomatic Services must be appointed by the Foreign Office, it may be inconvenient for them to be in communication with any other department.

" 25. Your Committee, however, agree with Lord Malmesbury, and with Sir Emerson Tennent, and Mr. Mallet, the two gentlemen who have the charge of foreign commerce at the Board of Trade, in the belief that there will be no danger of collision between the two offices if all correspondence with consuls and foreign ministers pass through the Foreign Office, so that the Foreign Secretary could acquaint the President of the Board of Trade if the instructions of the latter be at variance with his own.

" 26. Your Committee think that if the Board of Trade were thus enabled to carry on communication through the Foreign Office under *flying seal*, that Department would be more quickly informed of such facts as it is its duty to publish; would be able more speedily to serve the interests of individual merchants, and, in transactions in which its opinion is asked by the Foreign Office, such, for instance, as the recent negotiation with Italy, would be able to obtain that full information without which its opinion is of little value.

" 27. Your Committee conclude with the following recommendations for the improvement of the relation of the Foreign Office to the Board of Trade, so long as it be thought necessary for the former Office to refer its commercial business to the latter:

" 1st. That the Board of Trade be placed upon an equality with the Foreign Office, as is the Ministry of Commerce in France, in order that its opinion, when asked, may have due weight, and that its Chief be always a Member of the Cabinet.

" 2dly. That the Board of Trade be put in direct communication with the Members of the Consular and Diplomatic Services, and that such communication should be carried on through the Foreign Office under *flying seal*, or with such other provisions as shall prevent collision.

" 3dly. That the Board of Trade continue to have a Secretary, whose duty it shall be to attend to the commercial business referred to it by the Foreign Office.

" Lastly. That an officer be appointed in the Foreign Office to conduct its correspondence with the Board of Trade."

Paragraphs 1, 2, 3, 4, 5, 6, read, and *agreed to.*

Paragraphs 7, 8, and 9, read, amended, and *agreed to.*

Paragraph 10 read, and *agreed to.*

Paragraph 11 read, amended, and *agreed to.*

Paragraph 12 read, and *agreed to.*

Paragraphs 13, 14, 15, 16, and 17, read, amended, and *agreed to.*

Paragraphs 18 and 19 read, and *postponed.*

Paragraph 20 read, and amended.—Question put, That the paragraph, as amended, stand part of the proposed Report:—The Committee divided:

Ayes, 7.	Noes, 3.
Mr. Gregory.	Sir Minto Farquhar.
Mr. Cobden.	Mr. Kinnaird.
Mr. Milner Gibson.	Mr. FitzGerald.
Mr. Layard.	
Mr. Butler-Johnstone.	
Mr. Beaumont.	
Mr. Pender.	

Paragraphs 21 and 22 read, and *agreed to.*

Paragraph 23 read.—Question put, That this paragraph stand part of the proposed Report:—The Committee divided:

Ayes, 9.	Noe, 1.
Mr. Gregory.	Mr. Layard.
Sir M. Farquhar.	
Mr. Kinnaird.	
Mr. FitzGerald.	
Mr. Cobden.	
Mr. Milner Gibson.	
Mr. Butler-Johnstone.	
Mr. Beaumont.	
Mr. Pender.	

Paragraph 24, read, and *agreed to.*

[Adjourned till Thursday next, at Twelve o'clock.

Jovis, 14° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Mr. Cobden.	Mr. Seymour FitzGerald.
Mr. Turner.	Sir Minto Farquhar.
Mr. Layard.	Mr. Butler-Johnstone.
Mr. Kinnaird.	Mr. Milner Gibson.
Sir Stafford Northcote.	Mr. Bazley.

Paragraph 25. Amendment proposed, to leave out all the words after the word " Committee " in order to add these words " are of opinion that direct communication between the Board of Trade and the Diplomatic and Consular Services abroad might be established with great advantage to the commercial community if it be limited first to those cases—where

where negotiations having been sanctioned and commenced by the Foreign Ministers, the Board of Trade would now be consulted by the Foreign Office as to the details of the commercial arrangements proposed; and, secondly, to cases where it is desired to obtain or communicate information on commercial subjects; and your Committee think there would be no danger of collusion between the two offices if such correspondence with Consuls and Foreign Ministers were to pass through the Foreign Office, so that the Foreign Secretary could acquaint the President of the Board of Trade if in any case the views of that Minister should be at variance with his own."—(*Mr. FitzGerald.*)—Amendment proposed to the proposed Amendment, to omit the word "first," third line—(*Mr. Milner Gibson.*)—Question put, That the word "first" stand part of the proposed Amendment:—Committee divided:

Ayes, 5.	Noes, 6.
Mr. Bazley.	Mr. Kinnaird.
Mr. Turner.	Sir Minto Farquhar.
Mr. FitzGerald.	Mr. Milner Gibson.
Mr. Cobden.	Mr. Layard.
Mr. Pender.	Mr. Butler Johnstone.
	Sir Stafford Northcote.

Another amendment proposed, to leave out from the word "proposed" to the end of the proposed amendment.—Question put, That the words proposed to be left out stand part of the proposed amendment.—Committee divided:

Ayes, 5.	Noes, 6.
Mr. Bazley.	Mr. Kinnaird.
Mr. Turner.	Sir Minto Farquhar.
Mr. FitzGerald.	Mr. Milner Gibson.
Mr. Cobden.	Mr. Layard.
Mr. Pender.	Mr. Butler Johnstone.
	Sir Stafford Northcote.

Words struck out of proposed amendment.

Question again proposed, That the words after the word "Committee," paragraph 25, to the end of the paragraph, be left out, in order to add these words, "are of opinion that direct communication between the Board of Trade and the Diplomatic and Consular Services abroad might be established with great advantage to the commercial community if it be limited to those cases where negotiations having been sanctioned and commenced by the Foreign Minister, the Board of Trade would now be consulted by the Foreign Office as to the details of the commercial arrangements proposed."—Amendment, as amended, by leave *withdrawn*.

Paragraph 25, again read.

Another Amendment proposed, To leave out from the word "Committee" to the end of the paragraph, in order to add these words: "however, wish to state that the arrangement which, upon the whole, they would prefer, is the establishment of a Commercial Department in the Foreign Office which should be strong enough to enable the Secretary of State to conduct commercial negotiations, and to investigate the complaints of merchants, without the necessity of referring to the Board of Trade, except for such occasional information on matters specially committed to that Department as the Secretary of State may, from time to time, require to assist him in making up his mind on the questions with which he has to deal"—(*Sir Stafford Northcote*).

Motion made, "That the Committee not having had the opportunity of seeing and considering the terms of Sir Stafford Northcote's amendment, do adjourn till the said amendment be printed and circulated amongst its members"—(*Mr. Layard*).

Question, That the Committee do now adjourn, put, and *agreed to*.

[Adjourned to To-morrow, at One o'clock.

Veneris, 15° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. FORSTER in the Chair.

Sir Stafford Northcote.	Mr. Cobden.
Mr. Milner Gibson.	Mr. Bazley.
Sir Minto Farquhar.	Mr. Pender.
Mr. Seymour FitzGerald.	Mr. Gregory.
Mr. Layard.	

The Committee resumed the consideration of the Draft Report.

Paragraph 25 again proposed. Amendment proposed, after the words "Your Committee, however," to leave out to the end of the paragraph, in order to add these words instead thereof, "Wish to state that the arrangements which, upon the whole, they would prefer as the soundest in principle, is the establishment of a Commercial Department in the Foreign Office which should enable the Secretary of State to conduct commercial negotiations, and to investigate the complaints of merchants, without the necessity of referring to the Board of Trade, except for such occasional information on matters specially committed to that Board as the Secretary of State may, from time to time, require to assist him in making up his mind on the questions with which he has to deal"—(*Sir Stafford Northcote*).—Question put, That the words proposed to be left out stand part of the paragraph:—Committee divided:

Ayes, 5.	Noes, 3.
Mr. Bazley.	Mr. Cobden.
Mr. Kinnaird.	Sir Stafford Northcote.
Sir Minto Farquhar.	Mr. Pender.
Mr. Milner Gibson.	
Mr. Layard.	

Main Question, That paragraph 25 stand part of the Report—put:—Committee divided:

Ayes, 6.	Noes, 4.
Mr. Gregory.	Sir Minto Farquhar.
Mr. Bazley.	Mr. Milner Gibson.
Mr. Kinnaird.	Mr. Layard.
Mr. FitzGerald.	Sir Stafford Northcote.
Mr. Cobden.	
Mr. Pender.	

Paragraph 26, *agreed to.*

Paragraph 27. Section 1, "Your Committee conclude, &c." Amended, and *agreed to.*

Section 2, "That the Board of Trade, &c." Amendments made, and *agreed to.*

Section 3, "That the Board of Trade, &c." Amendments made. Another Amendment proposed to the Section as amended, to leave out the words after "That," to the end of the Section, in order to add these words: "In view of the conflicting opinions disclosed by the evidence of witnesses in regard to the relations between the Foreign Office and Board of Trade, the Committee confine themselves to a general recommendation that the two offices, having in mind the importance of the commercial interests of the country, shall severally and jointly regulate the transaction of business between them, so as to prevent the occurrence of unnecessary delay"—(*Mr. Layard.*)

Question, That the words proposed to be left out stand part of the Draft Report, put, and *agreed to.*

Section 4, "That the Board of Trade continue to have, &c," *negatived.*

Postponed paragraph 18, again read, and proposed. Amendment proposed, to omit the words "for the present"—(*Mr. Milner Gibson.*)—Question put, That the words "for the present" stand part of the paragraph:—Committee divided:

Ayes, 4.	Noes, 6.
Mr. Bazley.	Mr. Gregory.
Mr. Cobden.	Mr. Kinnaird.
Sir Stafford Northcote.	Sir Minto Farquhar.
Mr. Pender.	Mr. FitzGerald.
	Mr. Milner Gibson.
	Mr. Layard.

Paragraph 18, *agreed to.*

Paragraph 19, amended, and *agreed to.*

Concluding section of paragraph 27 read. Amendment proposed, after the word "officer," to insert the words "or officers."—Question put.—The Committee divided:

Ayes, 5.	Noes, 5.
Mr. Gregory.	Mr. Kinnaird.
Mr. Bazley.	Sir M. Farquhar.
Mr. FitzGerald.	Mr. Gibson.
Mr. Cobden.	Mr. Layard.
Mr. Pender.	Sir S. Northcote.

The Chairman gave his vote with the Ayes.

Question

Question put, That the paragraph 27, as amended, stand part of the Draft Report:—The Committee divided:

Ayes, 5.	Noes, 5.
Mr. Gregory.	Mr. Kinnaird.
Mr. Bazley.	Sir M. Farquhar.
Mr. FitzGerald.	Mr. Milner Gibson.
Mr. Cobden.	Mr. Layard.
Mr. Pender.	Sir S. Northcote.

The Chairman gave his vote with the Ayes.

Question, That the Draft Report, as amended, together with the Minutes of Evidence and Appendix, be the Report to The House.

To Report.

EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
H. Fleming	Merchant	Bowden, Cheshire	Seven	3 15 –	7 7 –	11 2 –
H. Ashworth	Ditto	Bolton	Seven	3 15 –	7 7 –	11 2 –
R. Sturrock	Ditto	Dundee	Nine	8 5 –	9 9 –	17 14 –
				TOTAL £.		39 18 –

LIST OF WITNESSES.

Martis, 31° *die Maii*, 1864.

Henry William Ripley, Esq. - - - - - - - - - - p. 1

Veneris, 3° *die Junii*, 1864.

Jacob Behrens, Esq. - - - - - - - - - - p. 27
Christian Allhusen, Esq. - - - - - - - - - - p. 45
Edward Akroyd, Esq. - - - - - - - - - - p. 46

Martis, 7° *die Junii*, 1864.

Henry Ashworth, Esq. - - - - - - - - - - p. 49
Mr. Robert Sturrock - - - - - - - - - - p. 60
John Evans, Esq. - - - - - - - - - - p. 70

Veneris, 10° *die Junii*, 1864.

Edmund Hammond, Esq. - - - - - - - - - - p. 73

Martis, 14° *die Junii*, 1864.

Edmund Hammond, Esq. - - - - - - - - p. 100. 105
Henry Wickham Wickham, Esq., M.P. - - - - - - - p. 104

Veneris, 17° *die Junii*, 1864.

James Booth, Esq. - - - - - - - - - - p. 128
Sir James Emerson Tennent - - - - - - - - - p. 143

Martis, 21° *die Junii*, 1864.

Sir James Emerson Tennent - - - - - - - - - p. 153
Louis Mallet, Esq. - - - - - - - - - - p. 154

Veneris, 24° *die Junii*, 1864.

Louis Mallet, Esq. - - - - - - - - - - p. 176

Martis, 28° *die Junii*, 1864.

The Right Hon. the Earl of Clarendon, K.G. - - - - - - p. 195
The Right Hon. Earl Russell, K.G. - - - - - - - - p. 206
Robert B. D. Morier, Esq. - - - - - - - - - p. 213
Louis Mallet, Esq. - - - - - - - - - - p. 216

Veneris, 1° *die Julii*, 1864.

The Right Hon. the Earl of Malmesbury, G.C.B. - - - - - p. 220
William Schaw Lindsay, Esq. - - - - - - - - - p. 223
Edmund Hammond, Esq. - - - - - - - - - - p. 227

Mercurii, 6° *die Julii*, 1864.

The Right Hon. Edward Cardwell, M.P. - - - - - - - p. 241
The Right Hon. Thomas Milner Gibson, M.P. - - - - - - p. 245

MINUTES OF EVIDENCE.

Martis, 31° *die Maii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.
Mr. Somerset Beaumont.
Mr. Cobden.
Sir Minto Farquhar.
Mr. Seymour FitzGerald.
Mr. William Edward Forster.
Mr. Milner Gibson.
Mr. Gregory.
Mr. Henley.
Mr. Butler-Johnstone.
Mr. Kinnaird.
Mr. Layard.
Sir Stafford Northcote.
Mr. Pender.
Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

HENRY WILLIAM RIPLEY, Esq., called in; and Examined.

H. W. Ripley, Esq.
31 May 1864.

1. *Chairman.*] YOU are a Dyer and Merchant in Bradford, are you not?—I am.

2. And have been so for many years?—Yes.

3. Your business as a dyer has brought you, has it not, into contact with almost all the principal merchants engaged in the foreign trade in Bradford?—Yes, for very many years I have been intimately acquainted with both the home and foreign trade of the district.

4. You have been for some years President of the Bradford Chamber of Commerce, I think?—Yes, now for more than six years past; since the beginning of 1858, I think.

5. And before you were president, you were an active member upon the council, were you not?—Yes, I have been a member of the Chamber of Commerce since its formation in 1851, and I have taken a considerable interest in the working of the chamber.

6. With regard to the Bradford Chamber of Commerce, for some years it was the chamber, was it not, for the worsted district generally?—Yes, it was called the Chamber of Commerce for Bradford and the worsted district, comprising Halifax, Keithley, Bingley, and in fact the whole of the district of what is called the worsted manufacture. For two years past now our Halifax friends have formed a separate chamber of their own.

7. Is it not the case, that the trade of the worsted districts being largely with the continent, it became the duty of the Chamber of Commerce to make frequent representations to the Government, and to present memorials to the Government upon foreign tariffs?—Living in Bradford and the neighbourhood for many years past, we have had a great number of foreigners (gentlemen from Germany especially), whose trade has been with the whole continent of Europe, and from the first formation of the chamber the attention of the chamber was naturally turned, to some extent, to our commercial relations with the various nations of Europe.

8. Did not the trade between Bradford and Belgium come under your consideration some years ago?—Very soon after the formation of the chamber, the attention of Government was called to the unfair position which the trade of our own district especially occupied relatively to Belgium, and from time to time memorials, growing in strength, in point of fact, in proportion to what appeared to us the disregard of our memorials, were presented to Government, especially upon the subject of trade with Belgium.

9. I will not trouble you with any of those memorials previous to 1859, because another witness will speak to them; but did you not, in 1859, send in a memorial to the Foreign Office respecting the preference given by Belgium to French goods over English goods?—Yes, that was so; a long memorial was presented to Lord Malmesbury on the 26th of January 1859, calling attention to the question of Belgium, and its relations to this country commercially.

10. Was the attention of the chamber drawn again, and drawn with more force, to the Belgium tariff, by the treaty that was concluded between France and England, and by the consequent probable treaty between France and Belgium?—Immediately upon the conclusion of the

H. W. Ripley, Esq.

31 May 1864.

Anglo-French treaty, the attention of the chamber was naturally again turned to the question which had so long occupied it with reference to Belgium.

11. Did you and the other members of the chamber fear that the contemplated treaty between France and Belgium would greatly increase the preference given to French goods in the Belgian market?—From the mode in which the previous treaties between France and Belgium had been carried out, we had no doubt whatever that fresh injury would be inflicted upon the English commerce by an additional treaty between France and Belgium, because the only object that there could be in such a treaty would be to give fresh facilities to French trade.

12. Was your fear justified by the result?—Ultimately it was, unquestionably.

13. Do you know when the Franco-Belgian treaty was concluded?—In May 1861 the treaty between France and Belgium was published; that was the time when it became known in this country. I believe it was in the first week of May 1861 that the particulars of the French treaty came to our knowledge.

14. When was the Anglo-Belgian treaty concluded?—The Anglo-Belgian treaty was concluded in July 1862.

15. In the intervening period, was it not the case that the previous preference given to French goods in the Belgian market over English goods was very much increased?—It was very much increased, and the complaint of the merchants in our district who had been in the habit of doing business to Belgium was, that their business was in great danger of being annihilated, in consequence of the great preference given to French goods at that time.

16. Was not the duty levied upon French goods under the Franco-Belgian treaty the same per-centage as is agreed upon in the Anglo-French treaty, namely, 15 per cent.?—Yes, the same terms substantially.

17. Was not it also the case that the duty upon English worsted goods imported into Belgium was 35 per cent.?—Yes, that I believe was about the amount of the duty.

18. I believe it was the case, was not it, that previously to the Franco-Belgian treaty the duty upon French goods was about 22 per cent.?—Yes.

19. Therefore the preference increased from 7 per cent. to 20 per cent., did it not?—Yes, that was the case.

20. Did you not learn, during the attempts that were made by your chamber to attain the removal of this preference, that there was a greater fear of English than of French competition on the part of the Belgian manufacturers?—Rumours reached us to that effect from time to time during the course of the complaints which we made to our own Government of the delay which was taking place in the negotiation, as it appeared to us, of the treaty of commerce with Belgium.

21. Are you not, therefore, of opinion that a preference having been formerly given to France by Belgium, and this fear of English competition existing among the Belgian manufacturers, it was especially the duty of our own Government to prevent a continuance of this preference in any new commercial arrangements?—We thought so.

22. Did you not write a letter on November the 3d 1860 upon the subject?—We wrote a letter to the Foreign Office on the 3d of November 1860.

23. Will you read that letter?—The Secretary of the Bradford Chamber of Commerce addressed a letter to Lord John Russell to the following effect:—"My Lord, I am desired by the council of this chamber to inform you that they understand that it is the intention of the Government of Belgium to make a considerable reduction in the import duties upon worsted and woollen goods, but the council have not been informed whether this reduction is to be made in consequence of a general revision of the tariff, or of the treaty of commerce to be negotiated with France. In the latter case, the council beg to draw your Lordship's attention to the fact that Belgium has repeatedly granted privileges to France which she has denied to England. The Council of the Bradford Chamber of Commerce have frequently protested against this injustice, based, as the council still persist in believing, upon an erroneous interpretation of the treaty of 27th October 1851, between this country and Belgium. The council, therefore consider it their duty to draw your Lordship's attention to this impending danger to our commerce; and they are persuaded that Her Majesty's Government will use their best endeavours to place, at last, our intercourse with Belgium upon that footing of equality with other nations, to which it has so many equitable, if not strictly legal, claims. I have the honour to be, my Lord, your Lordship's most obedient servant, *John Darlington*, Secretary."

24. Did you receive any answer to that letter?—We received no answer to that letter.

25. Not receiving any answer, what was the next step you took?—Not receiving any answer to that letter, another letter was addressed to Lord John Russell on the 18th of December, calling attention to the previous letter. I have not a copy of the letter of the 18th; it is entered simply upon the minute-book as a letter calling attention again to the letter of the 3d of November, to which we received no answer.

26. Did you get any answer to that letter?—We received no answer to that letter.

27. Did you, as President of the Chamber of Commerce, take any step in consequence?—On the 13th of January we held a meeting to consider this question, and again a third letter, which I signed as President of the Chamber, was addressed to Lord John Russell upon the subject. The letter was dated Bradford, 4th January 1861: "My Lord,—The Bradford Chamber of Commerce has had the honour to draw your Lordship's attention on the 3d of November to the alteration which Belgium was understood to be contemplating in the duties on worsted and woollen goods, and has since, on the 18th of December, referred to their former letter, without being honoured with your Lordship's answer to either. What then was merely hearsay has since become a well understood fact, viz., that Belgium is on the eve of concluding a treaty of commerce with France, which, of course, will be as nearly as possible upon the same terms as that between England and France. As this chamber has had the honour to observe on many previous occasions on which they have addressed the Foreign Office on this subject, the French fabrics have enjoyed a privilege, on their admission into Belgium, which has been denied to England. The

The difference in these duties has been high enough to replace British manufactures by French in the consumption of Belgium, proofs of which have been given in the correspondence on this subject, which has extended over a period of more than five years without producing the slightest result, notwithstanding the repeated assurances received from your Lordship's predecessors, that on every fitting occasion the claims of the British manufacturer should be fully recognised. The state of the law of Belgium exists as before, and now that it is more than probable that French worsted and woollen manufacturers will be allowed to enter Belgium at a maximum of 15 per cent., to be reduced to 10 per cent in 1864, the present tariff which British goods are subject to would be tantamount to an absolute prohibition. British worsted goods pay at present in Belgium a specific duty amounting to from 32½ to 37½ per cent., *ad valorem*. The chamber considers that this simple fact is strong enough to justify them, without any further comment, in again strongly urging your Lordship's immediate attention to this important subject, which they cannot but feel has not received that consideration which its vast importance demands. They also fear, from their not having received the usual acknowledgement of their last two letters, that they have not been brought under your Lordship's notice, and trust that their present communication may be more fortunate. I have the honour to remain your Lordship's most obedient servant, *H. W. Ripley*, President. The Right Honourable the Lord John Russell, M.P."

28. The purport of that letter was to call attention to the two previous ones, was it not?—Yes; recapitulating, in point of fact, the letter of the 3d of November to some extent, but specially calling Lord John Russell's attention to the fact that British goods were paying at present a duty amounting from 32½ per cent. to 37½ per cent., *ad valorem*, whilst the French goods were likely to be admitted at a duty of 15 per cent.

29. At the same time that you wrote that letter officially to Lord John Russell, did you not write him a private letter?—The cause of the delay of this letter being dated the 4th of January, was my taking it home with me in the evening of the previous day, to write a private note to Lord John Russell, calling his especial attention to these three letters to which we felt we were entitled to have an answer. It was sent off on the same day, the 4th of January.

30. On the same day on which you sent this last letter to the Foreign Office, that is the 4th of January, was not there an acknowledgment of the two previous letters received?—There was an acknowledgment of the two previous letters; this is the letter; "Foreign Office, 3 January 1861. Sir,—With reference to your letter of the 18th ultimo, I am directed by Lord John Russell to request that you will state to the Bradford Chamber of Commerce, that inquiries are being made as to the report alluded to in your letter of the 3d of November last, that the Belgian Government contemplate reductions in the import duties on worsted and woollen goods; and Lord John Russell regrets that the Chamber of Commerce should not have been sooner informed that the matter would be attended to. I am, sir, your most obedient servant, *E. Hammond*."

31. That letter must have crossed your letter of the 4th?—Yes.

32. It appears from the correspondence which has been laid before this Committee, that on the 3d of January Lord John Russell wrote to Lord Howard de Walden. "Foreign Office, 3 January 1861. My Lord,—I enclose for your Lordship's information the copy of a letter from the Bradford Chamber of Commerce, respecting a report which has reached the Chamber that the Belgian Government contemplate making a considerable reduction in the import duties upon worsted and woollen goods, in connection with the negotiation of a commercial treaty with France. I have to instruct your Lordships to take steps to ascertain what foundation there is for the report to which the Bradford Chamber of Commerce alludes in this letter;" are you not surprised when you learn that the letter which you sent on the 3d of November was only forwarded to the foreign minister at Brussels on the 3d of January?—No, I am not in the least surprised; it is just what I expected, because this letter to us of the 3d of January tells us in point of fact that nothing has been done up to that day.

33. I also find in these papers a letter from Lord Cowley to Lord John Russell, dated 14 December 1860, in which he says, "The negotiations for the revision of the tariff between France and Belgium have commenced. M. Thouvenel has renewed the assurances which he gave Mr. Cobden and myself, that Her Majesty's Government should be informed of any points coming under discussion which may interest them"; and it appears that on the 20th December, Mr. Hammond, of the Foreign Office, wrote to Sir James Emerson Tennent, at the Board of Trade, stating that he sent a copy of this despatch of Lord Cowley's, and there is also a reply from Mr. Bowring of the Board of Trade to Mr. Hammond, dated 31st December, in which he states those points upon which the Board of Trade consider it is necessary for our Foreign Minister at Brussels, to make representations to the Belgium Government upon the contemplated treaty between France and Belgium, in order to preserve English interests. I find that the only articles mentioned are salt and paper. Do you consider it possible that such a reply could have been given by the Board of Trade, if the letters which had been sent from the Bradford Chamber of Commerce to the Foreign Office had been forwarded to the Board of Trade?—No, I think not. It appears to me that both the departments had not looked into the question, or no such answer could have been given. If either the one department or the other had really looked into the question upon its merits, such an answer as that could not have been given.

34. Your first letter, calling attention to the subject, was sent on the 3d of November, was it not?—Yes.

35. And this letter from the Board of Trade to the Foreign Office is dated 31st December?—Yes. I may perhaps say that there can be no reason for the surprise which you alluded to a few minutes ago in consequence of the letter we received on the 5th of January from the Foreign Office, in which they say, "Sir,—I am directed by Lord John Russell to request that you will state to the Bradford Chamber of Commerce, that a copy of your letter of yesterday's date, in which you call attention to the position of worsted and woollen goods, the produce of Great Britain, imported

H. W. Ripley, Esq.

31 May 1864.

imported into Belgium will be forwarded this day to Her Majesty's Minister at Brussels, with instructions to report immediately on the subject to which it relates."

36. I will read to you the end of a letter from Lord Howard de Walden to Lord John Russell, dated 7 January 1861. "I am at a loss to conceive from what authority the Chamber of Commerce have derived information which has excited their apprehensions expressed in the letter of the 3d November, as at that moment the instructions of Monsieur Liedts, the Belgian Plenipotentiary, had not then been decided upon, and he was still at Brussels." Do you not think that if your letter of the 3d of November had been forwarded when received by the Foreign Office it would have been a sufficient warning to Lord Howard de Walden to enable him to ascertain the truth of the information you conveyed in it?—We think that two months of very valuable time were lost between the 3d of November and the beginning of January, when it appears that no instructions whatever were communicated to the Foreign Minister abroad consequent even upon our warning the Government at home that negotiations were going on with France.

37. Have you not reason to suppose that that was the very time when the negotiations were being made between Belgium and France, and in which therefore the terms of the tariff were getting decided upon?—That is the ground upon which I gave my last answer. That was the vital time when the matter should have been watched as between this country and Belgium when the French were negotiating with Belgium for a new treaty of commerce.

38. Did you receive a letter from the Foreign Office, dated 11 January?—Yes.

39. Will you read that letter?—"Foreign Office, 11th January 1861. Sir,—With reference to my letter of the 5th instant, I am directed by Lord John Russell to request that you will inform the Bradford Chamber of Commerce that a despatch has just been received from Her Majesty's Minister in Brussels, stating that he had been assured by the Belgian Minister for Foreign Affairs, that there was not the slightest intention on the part of his government to make any distinction between the import duties to be imposed upon French woollens and upon those the produce of Great Britain; and further, that no concession whatever in regard to duties would be made in favour of manufacturers in France which would not be equally extended to those of Great Britain. I am, sir, your most obedient humble servant, *E. Hammond*."

40. In consequence of those letters, were your fears, that the preference to French goods would be continued or increased, removed?—That letter seemed to put the matter so completely in a satisfactory light, that we settled down quietly, presuming that Government and our ambassador together, would so watch the negotiations with France, coupled with this assurance, that no concession should be given to France greater than that which was given to us; that we remained perfectly quiescent until the day when we had before us the Franco-Belgian Treaty; that was very early in May, if not the 1st of May, 1861.

41. Did you learn that the treaty was then being concluded?—We learned that it was; it was published as a treaty, and it was agreed upon, in point of fact, between France and Belgium.

42. In consequence of that, did you make any representation to the Foreign Office?—Yes.

43. Will you read the representation which you made?—A letter was addressd on the 16th of May to the Foreign Office on the subject; unfortunately I have not that letter in my hands, and it is not given in our correspondence.

44. Do you remember the purport of that letter?—It was calling the attention of the Government to the importance of seeing that we were not left behind in the treaty that was proposed; no doubt the general purport of it was referring to the letter of the 11th of January; of course, I cannot speak to the words at this time.

45. Sir *Minto Farquhar*.] Have you the date of that letter?—We have the date, and the general purport.

46. What was the date?—The 16th of May; as soon as we could have a meeting after the publication of the Franco-Belgian Treaty.

47. *Chairman*.] Did you receive a reply to that letter?—We received a reply to that letter on the 22d of May, from the Foreign Office.

48. Will you read that reply?—"Sir,—With reference to your letter of the 16th instant, I am directed by Lord John Russell to acquaint you, for the information of the Bradford Chamber of Commerce, that the treaty of commerce between France and Belgium is not yet satisfied by the Belgian legislature, but that Her Majesty's Government are in communication with the Belgium Government as to a new treaty of commerce. I am, sir, your most obedient humble servant, *Wodehouse*."

49. What was the date of that last latter?—It was written on the 22d of May.

50. Learning that no concession had been made by Belgium, did you make a representation to one of the departments, and on what date?—At the end of May, I believe, there was another rather strong letter, before the end of May.

51. To what office?—To the Board of Trade.

52. Did you write again to the Board of Trade in July?—On the 3d of July we addressed a long letter to the Board of Trade.

53. Can you state the purport of that letter?—It was recapitulating the facts, that from 1854, up to that time, we had constantly called the attention of the Government to the unfair mode in which Belgium was treating us, and ultimately putting it thus in the last sentence, "At this critical moment the Chamber appeals to the Board of Trade as the legitimate protector of the interests of British commerce, and trusts that every possible and available pressure will be applied to avert a blow which would be fatal to a trade once prosperous and still not unimportant." We felt that we had been deceived altogether as to the mode in which the Foreign Office had been conducting the business with Belgium; and we then appealed to the Board of Trade, in fact, to see if they could not help us in averting what appeared to us to be a very serious and permanent injury to our trade.

54. It appears from the correspondence which has been laid before this Committee, which is the correspondence hetween the two Government Departments, the Board of Trade, and the Foreign Office, with regard to the treaty between Great Britain and Belgium; and also the correspondence

spondence between the Foreign Office and our Minister at Brussels; that no dispatch was sent with respect to the Franco-Belgian Treaty, from the Foreign Office to Brussels, between the 22d January, shortly after your previous letter had been acknowledged by the Foreign Office, and the 20th May, three days after the receipt of your letter of the 16th; the first letter that you wrote when you again began to feel alarmed upon the question; do you not think that it would have been more probable that we should have obtained a treaty with Belgium if there had not been such a delay in the correspondence as the interval between January and May?—Our opinion is very decided, that if the matter had been watched as it ought to have been by the Government, between the time in November, when we called attention to it, and May when the French treaty was concluded, there can be no reasonable doubt that Belgium would have conceded to us at the same time the same privileges which were given to France.

55. Are you not rather surprised to learn that the representations spoken of by the Foreign Office to you do not appear to have been made till two or three days after the receipt of your letter?—No, I am not surprised, really; because I had come to the conclusion long ago that such was the case.

56. I find, from these papers, that the Board of Trade, on 5th February 1861, sent a draft of the proposed treaty between Belgium and England to the Foreign Office: do you not think that if that treaty had been forwarded by the Foreign Office to our Foreign Minister at Brussels, it might have been of assistance in obtaining a speedier settlement of this matter?—I have no doubt that if the assistance which was offered at that time, apparently by the Board of Trade, had been followed up, it would have been of some help in carrying on the negotiations.

57. Did you, in consequence of the unsatisfactory state of the negotiation, ask me, as your representative, to ask questions in Parliament?—Yes; we requested you to ask, in your place in Parliament, of Lord John Russell, the reason why the negotiations for the treaty had not been carried out in accordance with the assurance that we received on the 11th of January that such would be the case.

58. Do you remember the reason which was given by Lord John Russell, in reply, for the treaty not being concluded: do you remember any reason being given with regard to the want of time of the Belgian Government to get it passed by the Belgian Chambers?—Yes, that was at the very close of the negotiation: of course he does not give that as his reason at first. From Lord John Russell's speech on that occasion, it is perfectly clear that no representation was made to Belgium upon this subject whatever till after the receipt of our third letter, dated 4th January; and it is equally clear, to my mind, that the whole matter was in abeyance again, really, till the July of the following year, when we stirred the whole country upon the question; and then Lord John Russell brought up this difficulty, and said that difficulties had arisen, in consequence of the Belgian Parliament not being sitting, for concluding this treaty, which otherwise possibly might have been carried into operation.

59. Do you not consider that those difficulties might have been removed if the question had been brought before the Belgian Government at the commencement of that Session of Parliament?—My opinion is that they would never have existed.

60. In consequence of this state of the negotiations, did you seek the assistance of the chambers of commerce?—Immediately after the reply of Lord John Russell we called a general meeting of all the chambers of commerce in the country, asking them to send deputations to a meeting to be held in London, for the purpose of considering what steps could be taken further to act upon the Government.

61. Did you not in taking those steps, which were necessarily public, fear that you might be increasing the opposition of the Belgian manufacturers, by showing the earnestness of the English manufacturers to obtain the reduction?—We were aware that, to a certain extent, we were doing that; but the matter had got to such a position that it became a secondary question as to what might be the effect on the Belgian people themselves, seeing that we must either take some very prompt measures, or the matter would evidently be lost altogether, as far as we were concerned.

62. You went with deputations, I think, to Lord Palmerston and other members of the Government, did you not?—About the 24th of July, deputations, representing 27 or 28 chambers of commerce, had interviews with Lord Palmerston, with the Foreign Office, and with the Board of Trade; presenting what was really one memorial in point of fact, which was addressed to Lord Palmerston upon the sdbject.

63. Was there a suggestion made to the Government that some gentleman conversant with commercial interests should be sent to Brussels and Berlin?—At the interview which we had with Lord John Russell, the matter was pressed very strongly upon him that it was very desirable that some gentleman conversant with commercial affairs should be sent to Brussels and also to Berlin; for the question had also arisen then of a treaty of commerce with Prussia and the Zollverein. We asked that some one should be sent immediately, for the purpose of negotiating in the one case, and of watching in the other, the treaties which were then proceeding, that between France and Belgium especially.

64. And also the contemplated treaty, as you imagined, between France and the Zollverein?—Yes, and also between France and the Zollverein. At that interview, after a lengthened conversation, Lord Russell asked me if I could suggest the name of any gentleman who might go. I said, if I ventured to suggest any gentleman, I might suggest that Mr. Cobden, who had so ably conducted the French treaty, should be asked to go first to Brussels and then to Berlin upon this important mission. And, ultimately, Lord John Russell asked me if I would mention the matter to Mr. Cobden and ascertain his views upon the point; which I did, and communicated them to Lord John Russell. I could not say, of course, that Mr. Cobden was willing to go; but I hoped that there was that feeling upon his mind as to the importance of the question, that he would scarcely say he could not go. I was in hopes that after that communication had been made to Lord John Russell, some further communication would have been addressed to Mr. Cobden; but

H. W. Ripley, Esq.

31 May. 1864.

I am not aware that any such communication was made to him.

65. Did you directly ask Lord John Russell that Mr. Cobden should be sent?—No, I did not venture directly to ask him.

66. Did you hear anything further as to the probability of Mr. Cobden going?—No, nothing more; until we received a letter from Lord John Russell, intimating that Mr. Ward had been sent to Berlin: nothing was said about Brussels.

67. Then did you take the next step with regard to the Belgian treaty; did you do anything before February 1862?—No: the matter was then, we felt, in the hands of the Government; and very speedily it was announced that the Chambers were not sitting in Belgium, and that therefore nothing further could be done in the matter, for some time at any rate. On the following February (February 1862) a meeting was again held in London, and a deputation waited upon Lord John Russell again at the Foreign Office.

68. A meeting of whom?—Of the Associated Chambers of Commerce; and a memorial was drawn up and presented by a considerable number of gentlemen, to Lord John Russell at the Foreign Office, when he was again very strongly pressed to send some gentleman really conversant with commercial affairs both to Brussels and to Berlin. It had then become a very patent fact, so far as Prussia and the Zollverein were concerned, that France was negotiating a treaty of commerce.

69. Did you, in making representations with regard to Belgium, hear of any complication with regard to the Scheldt dues?—Yes; we heard that the question of the capitalisation of the Scheldt dues had become a difficulty with the Government, and a matter which would require some time for negotiating and carrying into operation.

70. During the spring of 1862, did you hear anything with regard to the Belgian treaty?—During the spring of 1862 I am not aware of anything occurring; the question appeared to remain in abeyance for a considerable length of time.

71. Did you take any further step?—Not in the early spring; in May 1862 we took some active measures again. We felt that we were almost driven to desperation in the matter, and we prepared a letter, giving a concise history of the whole transaction with reference to Belgium.

72. That letter was sent round to every member of the House of Commons, was not it?—Yes.

73. Did you take steps for the publication of this letter in Belgium?—We caused the letter to be published in Belgium, and I believe I may state that it was carefully translated into French and put into the hands of the Belgian ministers. From some cause, I cannot say in consequence of our letter being put into the hands of the Ministers, but within six weeks of its being put into their hands, the Belgian treaty with this country was signed.

74. Were not you afraid that the publication of that letter in Belgium would increase the opposition in that country to the English treaty?—Yes, there was that fear; but that seemed to be the only course left open to us, bearing upon the question.

75. Passing now to the Zollverein question: did you not, in July 1861, call the attention of the Foreign Office to the contemplated treaty between France and the Zollverein?—Yes; in July 1861, at an interview which we had with Lord John Russell, his attention was called to the great desirability of sending some gentleman to Berlin, for the purpose of watching the negotiations which we believed were going on between France and the Zollverein. As I said before, Mr. Cobden was suggested as the most fit and proper man whom we knew to be requested to go upon that mission.

76. Did you make a suggestion of any other gentleman going to assist Mr. Cobden?—On the same day on which I wrote the private note I have referred to to Lord John Russell, telling him of the interview I had had with Mr. Cobden, I addressed a letter to Mr. Milner Gibson, telling him of what had taken place, and also suggesting that the Board of Trade should, if possible, send Mr. Mallet as Mr. Cobden's assistant and right-hand man to Berlin, for the purpose of carrying on efficiently the negotiations for a treaty, as we hoped, with the Zollverein at the same time as the French were negotiating their treaty.

77. What step did the Foreign Office take with regard to the sending of a gentleman on that mission?—The Foreign Office sent Mr. Ward very promptly after that letter (within a week or 10 days, I think, early in August at any rate) to Berlin.

78. Who was Mr. Ward?—Mr. Ward was Her Majesty's consul in some German town.

79. Was he the consul at Leipsic at the time?—He was.

80. Without expressing any opinion as to the fitness of Mr. Ward, do you not think that a gentleman from England acquainted with the details of manufacture would have been more likely to have been of service?—In our opinion, it would have been more valuable to have sent both of the gentlemen who so efficiently conducted the French treaty, and whose experience in conducting that treaty of course gave them great power in that respect, rather than to have sent a stranger, whatever his abilities were in other respects, to have watched the negotiations at Berlin.

81. When did you hear that Mr. Ward was sen?—Lord Russell directed a letter to be sent to as very early in August, intimating that Mr. Wa d had been sent to Berlin, and I immediately wrote a reply.

82. Will you read your reply?—"August 10. My Lord,—I am exceedingly obliged for the information that Mr. Ward has been appointed to assist in the negotiations referred to in my last note to your Lordship. On behalf of the Associated Chambers of Commerce, I would respectfully suggest that Mr. Ward should be put in communication (through the Board of Trade, or otherwise, as your Lordship may think best) with the various Chambers of Commerce representing trades or industries which may be affected by the altered tariff between the Zollverein and France, and by the charges (if any) in the tariff between this country and the Zollverein. It appears to us exceedingly important that information should be obtained, with as little delay as possible, as to the details of the proposed new treaty (before its completion) between France and the Zollverein, and that the negotiator should then ascertain, through the bodies referred to, the opinions thereon of the parties whose interests are likely to be affected, and

and also that he should receive suggestions from them as to any desirable alterations in the present tariff between this country and the Zollverein. With reference to Belgium, I presume, now that the treaty between France and that country is completed, we cannot hope to get any further modification of duties in our favour, and we must content ourselves with claiming to be put on equal terms with France."

83. Did you receive any reply to that letter?—No; I received no reply to that letter of the 10th August.

84. Having received no reply to that letter of yours, did you send a memorial on the 7th of September?—Yes.

85. What reply did you receive to that?—We received a reply from the Foreign Office, dated 20th September: "Sir,—I am directed by Lord Russell to acknowledge the receipt of the memorial which you forwarded to me from the Bradford Chamber of Commerce, expressing the wish of that body to be kept informed of the progress of the negotiations with Prussia for a treaty between this country and the States of the Zollverein; and I am to state to you, in reply, that Mr. Ward, who has been instructed to assist in these negotiations, has also been directed to communicate with the different Chambers of Commerce as regards any alterations which are to be made in the tariff. I am, Sir, your most obedient humble servant, *A. H. Layard.*"

86. Were any communications made by Mr. Ward with your Chamber?—I never heard of any.

87. Did the meeting of the Associated Chambers, at which you were present, and probably took an active part, in February 1862, take any measures, or wait upon Lord Russell, with regard to the treaty between France and the Zollverein?—In February 1862 a memorial was again presented to Earl Russell at the Foreign Office by the members of the Associated Chambers calling attention to the duty, as we put it, of negotiating commercial treaties.

88. Did you learn, soon after that, that Mr. Mallet was sent to Berlin?—At that interview again I, for the third time, pressed upon Earl Russell very strongly the absolute necessity of seeing that our commercial relations were not altogether neglected, and sending some gentleman to Berlin who really knew something about commerce; and ultimately, before we left him, I ventured to suggest that Mr. Mallet of the Board of Trade, if Mr. Cobden could not be induced to accompany him, should be sent to Berlin to watch and get information as to the French treaty, and also for the purpose of inducing the Zollverein to give us the same terms at any rate as were given to France, or to place us in no disadvantageous position as regards the produce and manufactures of this country. The result of that was that, on calling at the Board of Trade two days afterwards, I found that Mr. Mallet had been requested to go to Berlin.

89. Have you any reason to believe, from what you have heard from gentlemen connected with the continental business, that the tariff details between France and Prussia, acting on behalf of the Zollverein, were fixed before Mr. Mallet's arrival?—I think there can be no doubt about it. I think you will have some satisfactory evidence upon that point.

90. Do you not believe that it is much more difficult for a foreign government to make reductions in their tariff upon British goods after they have published to their own manufacturers the terms of their alterations of tariff as regards any other country, such as France?—After our experience, in the Belgian treaty especially, that has been the ground on which we have pressed upon the Government the importance of watching the preliminary negotiations between France and other countries, because we feared that if those negotiations were carried to completion without our having an opportunity of representing what seemed to be our rights in the matter the difficulties would be very much increased afterwards in our getting what we felt to be our just rights.

91. Then I suppose I may gather from that answer, that it is your opinion that Mr. Mallet's journey to Berlin would have been of more service in the previous year than it was at the time when he went?—It is my opinion that if Mr. Mallet had gone in July 1861, in lieu of going at the end of February 1862, there is every reasonable probability that the Zollverein would have listened to Mr. Mallet's representations, and that we should have stood upon an equal footing with France, at any rate as to any treaty which was likely to be carried into effect.

92. Passing now to Italy, did you hear at any time recently that a gentleman had been sent over from the Italian Government with regard to a treaty between England and Italy?—Yes, at the end of June, or very early in July 1862, information reached me that some gentleman had been sent over to this country to negotiate a treaty between Italy and England. I addressed a letter to Earl Russell to the following effect: "My Lord,—Information has reached the council of this Chamber that the Italian Government has sent a representative to this country several weeks ago for the purpose of negotiating a treaty of commerce. It appears to this Chamber that the object to be attained, a more extended intercourse between the two countries, would be greatly facilitated if this and other chambers of commerce were put in direct communication with the Italian representative and the gentlemen who may have been appointed to conduct the negotiations on the part of Her Majesty's Government, so that the interests of each branch of business may be fully investigated, on the same principle in fact as that which was adopted at Paris in negotiating the details of the Anglo-French Treaty. Your Lordship will request the Board of Trade to take the necessary action in the matter, but either through it or in some other way. I trust you will see it right to adopt the course I have ventured to suggest."

93. What was the date of that letter?—The 3d July 1862.

94. Did you receive any reply to that letter?—I received a reply from the Foreign Office, dated 14 July 1862: "Sir,—I am directed by Earl Russell to acknowledge the receipt of your letter of the 3d instant, suggesting that the different chambers of commerce should be placed in direct communication with the Commissioner sent to this country by the Italian Government, for the purpose of negotiating a treaty of commerce; and I am to inform you, in reply, that his Lordship has communicated the same to the Board of Trade. I am, sir, your most obedient humble servant, *A. H. Layard.*"

95. Did you, in consequence of being informed

H. W. Ripley, Esq.

31 May 1864.

by that letter that your desire to be put in communication with Signor Mariani had been transmitted to the Board of Trade, make any communication to the Board of Trade upon the subject?—Yes; we made no written communication, but I called, as I had often been in the habit of doing at the Board of Trade, and inquired if anything had been done. I could not learn upon two different occasions after that that any arrangements had been made for putting Signor Mariani in communication with the various chambers. A week or two after that I heard that from some cause or other (it never became clear to me what) he had gone back again home without having opened any communication with us. We could never understand to this day how it was; whether he opened a communication with the Board of Trade or the Foreign Office we do not know.

96. You had never any communication with him?—We never had communication of any kind after the date of that letter from the Foreign Office; it appeared as if he had come here to negotiate, and we expected, of course, to be put into communication with him.

97. Did you not apply to the Board of Trade for the appointment of a French consul, or vice-consul, at Bradford?—Yes; seeing that the Board of Trade had had the entire conducting of the treaty with France, it appeared to us that the Board of Trade would be the proper party to complete all the business connected with that matter, and we addressed a letter to the Board of Trade requesting that they would communicate with the French Government for the purpose of getting the appointment of a consul, or vice-consul at any rate, to be located at Bradford, and we received a reply from the Board of Trade.

98. Will you read the reply?—It is dated 10 December 1860. Our application was made very speedily after the final completion of the supplemental treaty with France, and we received this letter in reply on the 10th of December: "I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 7th instant, transmitting copy of two resolutions of the Bradford Chamber of Commerce on the subject of the appointment of a French consul or vice-consul at Bradford; and I am to acquaint you in reply that, in compliance with the request contained in your letter, their Lordships have lost no time in requesting Her Majesty's Secretary of State for Foreign Affairs to bring the resolutions in question under the notice of the French Government. I am, sir, your obedient servant, *Edgar A. Bowring*."

99. Having received this letter from the Board of Trade, saying that they had received your communications at the Foreign Office, did you receive any further communication from them?—We presumed, of course, that our letter had been forwarded to France, through the Foreign Office, for the purpose of getting our request acceded to; but on the 17th of January, five or six weeks after, we received a second letter from the Board of Trade to this effect:—"Whitehall, 17 January 1861. Sir,—With reference to your letter of the 7th ultimo, transmitting copy of certain resolutions of the Bradford Chamber of Commerce, on the subject of the appointment of a French consular representative at Bradford, and to the letter from this department, stating that the Lords of the Committee of Privy Council for Trade had lost no time in requesting Her Majesty's Secretary of State for Foreign Affairs to bring the resolutions in question under the notice of the French Government, I am directed by my Lords to acquaint you, for the information of the chamber, that their Lordships have been informed by Lord John Russell, that in his Lordship's opinion the arrangements contemplated by the French Government for increasing their consular establishments in this country, rendered unnecessary any representation to that Government on the subject of the letter from the Bradford Chamber of Commerce, respecting the appointment of a consular agent in that town, and he considers that it is not desirable to press the French Government upon this subject. His Lordship has further requested my Lords to communicate this opinion to the Bradford Chamber of Commerce. I am, sir, your obedient servant, *James Booth*."

100. Did you come to the conclusion, from the reply of the 17th of January, that no representation had been made to the French Government?—It was perfectly clear, on receiving the reply of the 17th of January, that six weeks had been lost; it was six weeks from the time of our first application, and we were so far under a disadvantage in the matter. With as little delay as possible, I came to town and sought an interview with the French Consul General, M. Fleury, and represented to him the wishes of the Bradford commercial community, that we should have a consul or vice-consul at Bradford. He informed me that he believed all the arrangements were then completed, but that he should be glad to forward the representation of the Bradford Chamber of Commerce to the French Government. The result was that we had no vice-consul. We think that we should have had a very much better chance of having one if we had had more prompt attention paid to our letter.

101. Have you any consul at all?—No consul whatever. The French Consul at Leeds has an agent in Bradford who transacts the business, and transacts it very satisfactorily, so far as an agent can do. The disadvantage under which we rest is this, that whilst at Leeds merchants can take their money in up to within a very short time of post time, for the purpose of being verified, the agent at Bradford has to send a messenger over every day. I think he closes his invoices at three o'clock; he sends a messenger over to Leeds to have them verified.

102. Have you generally sent memorials in duplicate to the Board of Trade and the Foreign Office?—Since 1862, I think it has been our invariable practice to send copies, or duplicates, to the Board of Trade, and to the Foreign Office, on all the matters I have referred to.

103. Why do you do so?—Because we have felt that whilst the Foreign Office was the responsible office, and the office where they said that the work had to be done, we wished to bring the Board of Trade to bear as much as possible upon the important commercial questions; we thought it desirable at any rate, that so long as the Foreign Office was working so very unsatisfactorily, we should get all the help we could from the Board of Trade.

104. Have you yourself been on any deputations to either office lately?—No, not since February 1863. There was a large meeting in February of

of this year when a deputation was again appointed to go to Lord Russell upon these questions of the importance of watching the negotiations as to the commercial affairs abroad, but although I attended the meeting, I said I had been so often already, that I had perhaps been once too often, and that therefore I really could not go; it was almost a waste of time, in fact, to go again to the Foreign Office on these commercial questions, for whilst we were received with the greatest respect, it was perfectly clear to me that the gentlemen there scarcely comprehended the commercial questions in the light, at any rate, in which we understand them.

105. Have you found when you did attend those deputations that you were referred from one office to another?—To a certain extent that was so, of course. There was always the greatest politeness and courtesy and attention on the part of the Foreign Office, but I never left the Foreign Office without a strong feeling that there was an immense amount of ignorance as to commercial questions generally.

106. Which office did you consider responsible to the country for the management of the commercial treaties?—We were told, and of course it was true, that the Foreign Office alone in these commercial treaties must conduct the negotiations. The Foreign Office was really responsible for them, and therefore our representations have been principally addressed to the Foreign Office. Our applications to the Board of Trade may be said to have been to some extent secondary, for the purpose of calling the attention of the Board of Trade when we felt that knowledge on their part existed to what was doing at the Foreign Office, in order to get their assistance in what we were doing.

107. Being informed, and believing that the Foreign Office was responsible to the country, why did you wait upon the Board of Trade?—Because we felt, as I said, that in the Foreign Office, at any rate, there was a great amount of ignorance as to commercial questions, which rendered it very desirable that if there was any communication between the two offices, the Board of Trade should be acquainted with all the commercial questions which we had laid before the Foreign Office, that they should assist and promote as far as was in their power the matter that we had laid before the Foreign Office.

108. Having had interviews with both offices in the matter of the commercial treaties, and having made representations to them for some years past, have you any suggestions to make with regard to the arrangements between these two offices, and the conduct of the Foreign commercial business by the Government?—For several years past my attention, together with that of a number of other commercial men, has been specially directed to the difficulties which we labour under in the present arrangements, as it appears to us, between the Foreign Office and the Board of Trade for conducting commercial questions. We have considered this subject since 1860, especially when the French treaty was negotiated so simply and effectually as it appears to us by the Foreign Office handing over, for the time being, at any rate, its entire powers, and giving to the Board of Trade the power of direct communication with the French Government and with the gentlemen who were negotiating the treaty in Paris, and again as between the Board of Trade and the various commercial communities in the country, so that their representations were at once handed forward on the very same day. Ever since then it has appeared to me more and more desirable that a continuous extension of the principle that was adopted at that time should be sanctioned for the purpose of carrying on the future negotiations with the various commercial countries abroad. It appears that the difficulties of communication, and the uncertainty of the transactions, as between the two offices are such, that we can never with any confidence depend upon the representations from the commercial communities being really carried into operation, until one office is alone responsible for the commercial treaties which have to be negotiated abroad. And not only that, but it appears to me imperative that the Department, wherever it is, without venturing to say whether it ought to be a Department at the Board of Trade, which should have the absolute control over these matters, or whether it should be some department at the Foreign Office should have, as I said, the means of direct communication with our various representatives abroad, with the consuls and agents, and also with the commercial communities; and that that department should be alone responsible for all those matters, and that in that department should be some gentleman who should be responsible to Parliament, and who in his place in Parliament should be able to answer any question connected with commercial matters.

109. If it be the case that the Foreign Office must conduct the negotiations with regard to commercial matters, you think that the Foreign Office ought to have in its own department knowledge upon commercial subjects?—If such is the case, it appears to me imperative that at the Foreign Office there ought to be a commercial department, with some gentleman at its head conversant with commercial affairs; and that he should have the power of placing in the various foreign countries consuls or agents, who also, to some extent, should be sufficiently acquainted with commercial affairs, and take a sufficient interest in those matters, to collect information precisely as is done by the consuls which France places in various parts of the country. I take an illustration in the case of the consul nearest to us at Leeds; the French consul there is careful to get copies even of the transactions of the Chambers of Commerce at Bradford and Leeds, which he transmits to his own government from time to time, and it appears to me that if we could have some system of the same kind adopted, it would be an immense advantage to the trade and commerce of this country.

110. Sir *Stafford Northcote.*] Have you ever observed any indisposition on the part of the officers of the Board of Trade with whom you have been in communication, to discuss these subjects with you?—On the contrary, they have been always most willing to discuss them; I have found that at the Board of Trade there was not only a great amount of real information upon commercial matters, but an anxiety almost on the part of several gentlemen at the Board of Trade to obtain any information upon them; I have always been most welcomely received at the Board of Trade.

111. Do you not consider it probable that the

H. W. Ripley, Esq.

31 May 1864.

Board of Trade, being the department which has for its special business the question of commercial arrangements, there would be both more disposition, and more knowledge in that department than in a subordinate department of another office which has other functions to perform?—No; I do not think so at all; I think it is quite as probable that a department at the Foreign Office, which should be of a purely commercial character, would be quite as capable, or more capable, in point of fact, of conducting the commercial negotiations with reference to foreign trade especially, than the Board of Trade, as at present constituted. Of course, you would require a special department at the Board of Trade; the Board of Trade is not a board of trade, as we understand it, in reference to commercial questions generally. It is principally employed, as I understand, with regard to shipping, and such other things; the only question which the Board of Trade takes any cognizance of with reference to trade is the question of statistics generally.

112. Do you consider that the Board of Trade is not doing as much work for the commercial treaties, and the general commercial foreign interests of the country, as it might do, and that therefore the proceedings of the Board of Trade might be improved in that respect, or do you think that it would be better that all that class of business should be taken out of the hands of the Board of Trade, and put into the hands of the Foreign Office?—I do not give an opinion as to whether the department which ought to have the arrangement of foreign commercial affairs generally should be at the Foreign Office, or at the Board of Trade. It appears to me that the Board of Trade is powerless altogether, for the want of a more intimate connection with the Foreign Office. The commercial community scarcely go to the Board of Trade now, because we have been generally informed that the Foreign Office is the proper department to apply to, and accordingly we apply to it. The Board of Trade simply gives its opinion from time to time upon matters which are referred to it, as I understand: upon matters referred to it by the Foreign Office upon communications received by the Foreign Office from abroad; and I have been informed by gentlemen connected with it, that the Board of Trade is absolutely powerless in carrying on any negotiations abroad, and almost so in offering any opinion as to negotiations abroad.

113. The Board of Trade usually has at its head a Minister who is a Member of the Cabinet, has it not?—Yes.

114. Do you think that there is no advantage to the commercial community in their being in communication with the department which on the one hand makes a special study of the matters which interest the commercial community, and on the other hand is represented in the Cabinet by a Minister who can communicate with the Foreign Secretary on terms of equality?—I think if you give that department power to communicate abroad with ambassadors, consuls, and agents, for the purpose of conducting and negotiating all commercial questions that can be equally well done, from my point of view, by the Board of Trade as by the Foreign Office. But it seems to me absolutely imperative that, wherever the department is, we should no longer have to be cast about from one office to the other, in perfect uncertainty whether the matter will be attended to or not, and that the responsibility should rest upon one department, both as regards communications from ourselves as to commercial matters here, and as regards communications from our various consuls and agents abroad.

115. Your idea, I think, was that there should be a department at the Foreign Office specially charged with the conduct of commercial matters?—I think I have not ventured to express an opinion whether that should be a department of the Board of Trade or a department of the Foreign Office; but it should be a special department in either the one or the other, which should have the absolute power of communicating with the consuls and agents abroad, and of communicating with the commercial communities at home; so that we should no longer have a double action between the Foreign Office and the Board of Trade, and a divided responsibility which really throws the whole matter, as it appears to me, into this state of neglect and confusion.

116. If there was such a department as you describe at the Foreign Office, do you mean that it should be a distinct branch of the Foreign Office?—I think that it is a matter of detail which it is for the Executive to decide. I should not like to give a confident opinion as to the detail of the work. I express a strong opinion, which is also, I think, the opinion of the commercial community of the country generally, that the time has come when we must have a department of the Government which should be directly responsible for the conducting of these commercial treaties and negotiations abroad, which from time to time will become more and more important; and that there should be no divided responsibility between the Foreign Office and the Board of Trade, but that that department, as I said before, should have direct communication with the consuls and agents abroad, and also direct communication with the commercial communities at home. You could not have a stronger illustration of it than the very satisfactory and simple mode in which the Board of Trade conducted the French Treaty during the summer of 1861. The whole commercial community was satisfied with the way in which it was done at the Board of Trade. The Board of Trade sent any communications which we sent to them to Paris on the same day that they received them; and *vice versâ*, they forwarded communications which they received from Paris to those interested in the particular trade which they concerned without delay. The whole thing appears very simple: you have only to carry out that idea, and adapt it to one department of the Government or another, in order to place us in a much more satisfactory position than we are in at present.

117. How long has your attention been turned to this question. How long have you known the operation of the Board of Trade and the Foreign Office respectively, in the conduct of foreign treaties?—Since 1860, especially.

118. Your memory does not go back 20 years or so, to the former system?—I think that previously to 1860, no great blame can be attached either to the Government or to the commercial communities, because we all seemed to have settled down upon our oars, in point of fact, and for the time being there appeared to be no material interest attached to the negotiations of treaties abroad.

abroad. But there have been ample opportunities since the negotiation of the French treaty in 1860, to judge of the mode in which those matters are conducted by the Foreign Office and the Board of Trade; and to enable us to say most undoubtedly that some great change is required in the mode of conducting the public business of the country in commercial affairs.

119. Are you aware that 20 years ago, there was a good deal of correspondence with regard to foreign commercial affairs?—I believe there was; but I think if we go back to 1860, we shall have quite data enough.

120. I want to know whether you have any personal knowledge of it?—No; that is before the time I took any interest in it.

121. Mr. *Kinnaird.*] I gather from your reply that the grievance of which you complain, dates from 1860?—I think the grievance principally dates from 1860 as far as we are concerned, because it is from that time that the attention of the whole world, in fact, has been directed to fresh negotiations for treaties between one country and another.

122. Although you do not give an absolute opinion, you decidedly lean to recommending that the Board of Trade should be the organ by which those commercial treaties should be conducted, do you not?—If it is true, as we have been told again and again, that it is impossible to separate the political action of the Government from its commercial action, it appears to be imperative that there should be some department of the Foreign Office which should be specially charged with these duties. I do not venture to recommend either department. I say here is the difficulty which is to be met; it is not for me, it is for the Executive, to say how it is to be met.

123. Still with your experience, which seems to be great in these matters, how do you think that the Board of Trade, having no control whatever over the diplomatic and commercial arrangements, and being entirely under the Foreign Office in those respects, could possibly conduct it; how could the system work?—That is the difficulty. It is sufficient for me to say here is a difficulty which it is perfectly clear can be remedied, and for the Government to say how it is to be done.

124. You do not give any recommendation with respect to the remedy?—No.

125. You are aware that in the Foreign Office there is a department specially for matters connected with the slave-trade, which outgrew what would otherwise have been its place in the department; why should not something of that nature be established for this purpose?—I see no objection to its being done.

126. Is it not more natural that it should be done through the Foreign Office?—If the Foreign Office keeps in its own hands the absolute right of communication with the ambassadors abroad, as a matter of necessity the Department must be in the Foreign Office.

827. Does not it strike you that there must be one head only, and that if these negotiations came through the Foreign Office originally, to give to another department the absolute control over some part of them would be likely to complicate rather than to facilitate the business?—I think that the Executive would be better able than I to form an opinion on the remedy which should be introduced.

128. You stated that the Board of Trade had done nothing; this is a matter, practically, entirely foreign to them, is it not?—The Board of Trade has no power whatever in these matters.

129. It is chiefly concerned with shipping and the conduct of railway matters, and so forth; and is not, therefore, likely to have a sufficiently large staff for this purpose?—I do not think that the Board of Trade has a staff at present equal to carry out the idea I suggest.

130. Your evidence tends to this, that in the case of three recent treaties, those of Belgium, Germany, and Italy, the same delays and the same grievances have existed?—Yes; and that hereafter the same thing will occur again unless some remedy is provided.

131. Mr. *Somerset Beaumont.*] You stated that copies of a part of this correspondence with the Foreign Office were also sent to the Board of Trade; were copies of the correspondence which the Chamber of Commerce had with the foreign countries in 1860 also addressed to the Board of Trade?—No. With reference to such letters as I referred to in 1860, I think we have never been in the habit of sending them to the Board of Trade; we have sent simply memorials. Mere letters between the Foreign Office and ourselves we have not sent in duplicate to the Board of Trade; but whenever we have had a memorial to present upon the trade or the tariff of any particular country, we have, since 1862, invariably sent duplicate copies for the information of the Board of Trade.

132. Why did not you, in 1860, address copies to the Board of Trade of the correspondence which you referred to on the 3d November and the 18th December?—Simply for the reason that I have stated, we have never been in the habit of addressing duplicate copies of correspondence. All that we have sent has been duplicate copies of memorials to give information to the Board of Trade, in order that the Board of Trade should be made aware of the views of the Chamber upon commercial questions relating to any particular country, that they might assist as far as they could our representations.

133. Mr. *Butler-Johnstone.*] I think you stated that the French Commercial Treaty was conducted entirely by the Board of Trade?—Not by but through the Board of Trade.

134. You said that answers were sent off immediately by the same post after you had had communications with the Board of Trade?—Yes. I can speak from my own personal experience; the communications with France were most prompt.

135. Who sent them; the Board of Trade or the Foreign Office?—The Board of Trade, unquestionably.

136. Then they had the machinery for that particular purpose?—They instituted one for the time being.

137. As far as it went it was most satisfactory, was it not?—It worked most satisfactorily.

138. Could not that have been extended in the case of Belgium and Germany (that is to say, the Zollverein) and Italy?—I cannot say; but what has been done once would appear to be able to be done again.

139. I think you said that between your letter of the 3d of November and the 4th of January 1861, no correspondence took place between the Foreign Office and our agents abroad?—So it appears.

140. You think that by watching the matter in

H. W. Ripley, Esq.

31 May 1864.

November 1860, instead of postponing it till January 1861, the Government would have been in a better position as regards obtaining a treaty with Belgium?—Yes, I think I may say, instead of postponing it till May or June. I have strong reason for believing that the French Treaty was negotiated in those two months between November 1860 and January 1861.

141. The French Treaty with Belgium was conducted secretly, was it not; and our agents in Belgium could not know what was going on?—I can scarcely conceive the Belgian Government being so uncivil as to refuse us the information, if we had asked to have been made acquainted with the manner in which the French Treaty with Belgium was proceeding, seeing that when our treaty with France was being concluded, Belgium sent a representative to Paris; and he, if I am not incorrectly informed, requested to be made acquainted with the proceedings in the negotiations for the Anglo-French Treaty, and he did become so acquainted from time to time as the matters were proceeding. Seeing that that was so, I can scarcely conceive it possible that the Belgian Government would have refused to allow us to receive that information, if we had taken the trouble to inquire.

142. The French Government might have objected; it was a matter of conflicting interests, not of courtesy, was not it?—I think if we had had a representative there (and the Belgian Government would have given us much more than that), we might have pressed the thing from day to day continuously, as a matter of justice and right; and if we had done so, I can scarcely imagine that we should not have had, contemporaneously with the signing of the Franco-Belgian treaty, a treaty of our own.

143. I suppose you would consider that we could not have been in as good a position as France to negotiate a commercial treaty with any nation, on account of our not having the same amount of concessions to make?—We should have been in quite as good a position, I think, as regards Belgium. The kindness we have shown to her must, if we had raised the question at all, have placed Belgium in such a position that she could not have reasonably refused to give us equal rights with France. A country like Belgium could scarcely be considered to be in friendly relations with us if it refused to give us reasonable and just rights. We cannot expect to have them volunteered to us; but if we press them upon a country situated like Belgium, they could not be considered in a friendly relation if they refused.

144. Do you not think it is possible that the correspondence with the Belgian Government was intentionally postponed by the Foreign Office until after the treaty between France and Belgium was concluded?—It is very strange if it was so, inasmuch as the communication addressed to our own ambassador at Brussels was dated within two or three days of our own pressing communication to the Government. There must have been a sudden change if that was the case.

145. Mr. *Layard.*] You say that the first memorial with regard to the trade of this country with Belgium was sent to Lord Malmesbury in 1859?—It was not the first one which was sent in 1859; but I know of that especially, because it has my signature. Other memorials were sent previously; one was sent in 1856 upon the subject, and another, I believe, in 1854.

146. Was any answer returned to that memorial in 1859?—Yes, an answer was returned.

147. What was that answer?—The memorial was presented on the 20th of January 1859, and the answer is dated 11th April 1859: "Sir,—I am directed by the Earl of Malmesbury to request that you will state to the Bradford Chamber of Commerce that his Lordship has consulted the Lords of the Committee of Privy Council for Trade, and also the legal advisers of the Crown, on the points connected with the treaty between Great Britain and Belgium, which are alluded to in your letter of the 22d January last, and in your previous correspondence with Her Majesty's Government. I have now to acquaint you that his Lordship is advised that Her Majesty's Government have no legal right, under the Treaty of 1851, to claim the equalization of duties as proposed by the Bradford Chamber of Commerce. With reference, however, to the remark contained in your letter, that the Board of Trade do not possess the means, in its official capacity, of distinguishing the importations for consumption from the general imports of Belgium, I enclose a Table which is extracted from the official accounts supplied to Her Majesty's Government by that of Belgium, and exhibiting the value of woollen manufactures imported into Belgium from the United Kingdom, and entered for home consumption in Belgium from 1853 to 1857. Lord Malmesbury desires me to take this opportunity of informing the Bradford Chamber of Commerce, that Her Majesty's Minister at Brussels has lately reported to his Lordship that the French and Belgian Governments have come to an understanding that the duration of the existing commercial treaty between Belgium and France (which was on the point of expiring) shall be prolonged for two years.—I am, Sir, your most obedient humble servant, *Wm. Seymour Fitzgerald.*"

148. At that time, then, the Bradford Chamber of Commerce had formed an erroneous opinion upon the position of this country in commercial matters as regards Belgium?—This letter says so; it does not follow that it was so.

149. That was the opinion of Lord Malmesbury at the time?—So it appears.

150. You say that the Franco-Belgian treaty was concluded in May 1861?—It was published then.

151. Do you know when the treaty was ratified?—I do not know precisely the date.

152. You are aware that a treaty does not come into operation until it is ratified, I suppose?—Yes, I am aware of that.

153. Therefore, until the Franco-Belgian treaty had been ratified, it would not have come into operation?—It was agreed upon, I believe, between the French and Belgian Governments in May 1861. The treaty itself was absolutely agreed upon, as far as the two Governments were able to enter into an agreement; it depended upon its passing through the Belgian Chambers merely, I think, for completion.

154. We did not obtain our treaty until July 1862?—Not until July 1862.

155. You are aware that the Belgian Government is a constitutional government?—Yes.

156. And you are aware that there is a Chamber in Belgium?—Yes.

157. Are you aware that a treaty must be submitted to that Chamber, and ratified by the Chamber before it comes into operation?—Yes, it must be ratified by them.

158. It

158. It must be submitted to the Chamber, and they must pass the treaty, must they not?—Yes.

159. You state that, according to your opinion, valuable time was lost between the 3d of November and the beginning of January, and that nothing was done at the time when you first addressed the Board of Trade and the Foreign Office; and further, that it is your conviction that if anything had been done a treaty would have been concluded with this country at the same time as the treaty was concluded with France; upon what grounds do you found that opinion?—On the ground that the relations of this country with Belgium were such, that it appears to me if we had used strong representations to the Belgian Government, with regard to the injustice of the position in which they were placing us, they could scarcely have reasonably refused to give to us the same advantages which they intended to give to France. I think I can trust my memory so far as to say that in the Despatch of Lord Howard de Walden, which was sent in reply, in fact, to our third letter, he states that he had been assured by the Belgian Government that it was their intention to grant the same indulgences to us as were granted to France; and it appears to me that from that time until the following May or June, in consequence of our doing nothing during those four or five months, we did not get those advantages which the Belgian Government assured Lord Howard de Walden we should get; I do not think there was any indisposition on the part of the Belgian Government to grant them.

160. You state now that it appears, from Lord Howard de Walden's Despatch, that the Belgian Government were prepared to give us the same advantages which they gave to France by treaty; I presume from this, that the Belgian Government were not ready to give them to us until they had given them to France?—No; I read the letter as saying that they were prepared to give them to us at the same time that they gave them to France.

161. Will you quote the passage which bears that meaning?—Mr. Hammond, in his letter of the 11th of January, says: "With reference to my letter of the 15th instant, I am directed by Lord John Russell to request that you will inform the Bradford Chamber of Commerce that a Despatch has just been received from Her Majesty's Minister in Brussels, stating that he had been assured by the Belgian Minister for Foreign Affairs, that there was not the slightest intention on the part of his Government to make any distinction between the import duties to be imposed upon French woollens, and upon those the produce of Great Britain; and, further, that no concession whatever in regard to duties would be made in favour of manufactures of France, which would not be equally extended to those of Great Britain." Surely that means at the same time——

162. Your opinion then is, that such were the relations between Belgium and England, that Belgium could not, considering the friendly footing upon which those relations were placed, refuse to give us concessions at the same time as they were given to France?—Yes.

163. Upon what do you found that opinion?—If I found it upon nothing else, I should found it upon this letter.

164. Are you aware that after the Franco-Belgian treaty was concluded we had a very long and difficult negotiation with the Belgian Government, and that they positively refused to make any concessions to us without an equivalent?—I have never heard anything of the kind.

165. You are not aware of it?—No; no information was ever conveyed to us to that effect either from the Foreign Office or from any other quarter.

166. You know nothing whatever of the feeling of the Belgian Chamber upon the subject of the treaty with England?—I have reason to believe that ultimately before the close of the matter, some 12 months after the time we are referring to now, a very strong feeling was got up in Belgium against the treaty with this country. But I say that if the matter had been pressed upon Belgium in the end of 1860 and the beginning of 1861, in all probability that feeling would never have existed.

167. Are you not aware that one of the great arguments used against our pressing a treaty upon Belgium at the time was that if the Belgian Chamber had reason to believe that the advantages given to France would be immediately given to England that argument alone would have rendered the passage of the French treaty through the Chamber exceedingly difficult?—No.

168. Are you aware that the competition of England was much more dreaded in Belgium than the competition of France?—I believe it was.

169. Then, if the Belgian Government had conceded certain reductions of duties upon French goods, if similar reductions were conceded to England, it would of course have operated much more to the advantage of this country than to that of France?—Yes; but all that only proves that there was the greater necessity on the part of our own Government really to watch these matters and attend to them during the time between November 1860 and July 1861, when, so far as I can gather from the correspondence and everything else, the whole matter was substantially neglected by the Foreign Office.

170. You say that it was necessary that we should watch these proceedings, but you have been very pertinently asked by the Honourable Member for Canterbury whether negotiations for treaties of commerce of this kind, and especially for tariff reductions, are public and open negotiations?—I should think not always; primarily, of course not.

171. With European Powers, are they not always made the subject of the most secret negotiations?—To a certain extent that may be so.

172. How could we watch secret negotiations which were kept from our knowledge?—They were so far public that the Bradford Chamber of Commerce has from time to time obtained information within a few days when any negotiation was going on between France and the Zollverein, or between France and Sweden, or between France and Italy, and we have communicated that information to the Foreign Office to ask the Foreign Office to watch those negotiations. Of course the details of the negotiations are necessarily, to some extent, secret. Still, upon the fact that negotiations were proceeding, we have had information, at any rate, from time to time, pretty promptly.

173. We will confine ourselves to this particular question, because you are bringing a particular

H. W. Ripley, Esq.

31 May 1864.

ticular charge against the two offices. You say that the Bradford Chamber of Commerce obtained knowledge of what was going on in the negotiations. Did they ever obtain any knowledge upon any specific point that you can mention, upon which there was a negotiation all that time pending between France and Belgium?—Yes; the information which we obtained, and obtained very promptly and quickly, was, that Belgium was to have broadly and generally the same treaty with France that France had completed with England.

174. Your information was merely general?—It was so far general that we knew certainly that it would apply to 19-20ths of all the articles in the Anglo-French treaty, and that anything left out of it would be mere minor matters. Substantially the treaty of commerce between this country and France, was to be the treaty between France and Belgium; there was no question about that.

175. Were not there any important distinctions in the tariff, especially as regards the manufactures with which Bradford is connected?—No.

176. I thought you stated that the tariff reductions upon worsted affected very considerably the Bradford trade?—Yes; but it left the tariff of Belgium upon British goods where it was; that is what I complain of.

177. Did it affect the tariff between France and England?—Not at all; it was the same tariff between France and Belgium as between France and England.

178. Were you aware that that was going to take place during the negotiations?—Yes; we heard that the basis of negociation was a treaty of commerce between France and Belgium, on the same terms as those upon which the treaty had been completed between France and England.

179. Immediately after the French had concluded their treaty we entered into negotiations with Belgium; are you aware that the Belgian Prime Minister, M. Rogièr, came over to this country on purpose to commence and carry on those negotiations?—I heard that M. Rogièr came over; for what purpose I do not know.

180. Are you aware that the Belgian Government authorised negotiations to be carried on in this country through their minister, M. Van de Weyer?—I think I heard of that.

181. Are you aware that, for some time, the Belgian Government refused to make any treaty concessions until we agreed to the capitalization of the Scheldt dues?—Yes; but that was many months after the time to which I refer when I say the neglect took place.

182. Have you any reason to believe that they would have given us any reductions without any concessions on our part whatever?—We are told so distinctly in the words of the letter of the 11th of January.

183. They say, in that letter, that they are prepared to give us the same concessions that they give to France; they must give them first to France, if so, must they not?—At the same time, as I read it.

184. You say that the trade of Bradford with Belgium was threatened with annihilation; has it been annihilated?—It has been in process of annihilation for 10 years past, consequent upon the favoured position in which France has been placed as regards Belgium. The Bradford merchants, doing trade with Belgium, have done from year to year a smaller trade with Belgium, consequent upon those advantages which have been given to France, and there is no question whatever that if the treaty between Belgium and England had not been completed when it was, our trade with Belgium would have been annihilated.

185. Now you go back to 10 years. You rather led the Committee to believe that the small interval which elapsed between the conclusion of the Franco-Belgian treaty and the Anglo-Belgian treaty, had annihilated the Bradford trade; was that so?—It tended to do so.

186. Was there any sensible falling off between the end of 1861 and the time when the English treaty was concluded?—I have not the statistics before me, but I have no doubt there was. Another witness will be able to speak to that.

187. You know nothing of the facts, but it is merely your general impression that if we had sent somebody to Brussels before the treaty with France had been concluded, we should have obtained a treaty at the same time?—That is my opinion, decidedly.

188. You say that, without any knowledge of the state of parties in Belgium, or of the feeling of the Chamber, or of the diplomatic relations between the two countries?—Having all that knowledge, as far as the public papers and reports give it me, I still think that that is the case, and especially having before me all our communications with the Foreign Office, I think it is an instance of neglect on the part of the Foreign Office in not watching those negotiations.

189. With regard to the Zollverein, you have stated that Mr. Ward was sent?—Yes.

190. I believe you stated that Mr. Ward was not a competent person?—I think I did not say so.

191. You said that you thought Mr. Ward was not quite the person who ought to have been sent there, did you not?—I merely confined myself to an expression of opinion, that a gentleman going upon these negotiations should be a man very competent to conduct such negotiations.

192. From your answer, you did not seem to know even what position Mr. Ward held?—I did not remember, just at the moment. I do remember now.

193. What was he?—He was the consul at Leipsic.

194. Do you not think it would be important, supposing a negotiation of that kind was going on, to send a gentleman acquainted with the country and the language of the people?—I think you could have sent many gentlemen from England acquainted with the country and language, and who also had the advantage of being conversant with commercial matters at home.

195. You pressed upon Earl Russell to send Mr. Mallet to Berlin, and afterwards he did send him, as I believe you stated?—He sent the next day to the Board of Trade, and asked if he could go.

196. Mr. Mallet went, did he not?—Yes, Mr. Mallet went.

197. Did Mr. Mallet do anything?—I never heard of any result.

198. No result has arisen from Mr. Mallet's visit?—The general report we have heard, and which we gather from our information from Berlin, is that he went there too late. If he had

had been there the autumn previous, at all events he would have been able to watch and become acquainted with the negotiation which was going on with France, whereas when he went there he found that so far as the thing could be done, all had been done between France and the Zollverein, and that nothing was left to do but to open a negotiation afresh. We suppose and believe that it was in consequence of that negotiation having been completed with France that Mr. Mallet was not in the advantageous position in which he would have been had he come there earlier.

199. This is all what you "suppose and believe?"—Yes, we must "suppose and believe."

200. You stated that, in your opinion, if Mr. Mallet had gone to Berlin earlier, he would have obtained the same treaty that the Zollverein gave to France?—That is my impression and opinion.

201. Is that opinion founded merely upon your own impression, or is it founded upon any information which you received from official or other sources from Berlin?—Not from official sources certainly, but from the impression that was conveyed to me in the various conversations at the meetings of our Chamber of Commerce, where the merchants connected with the foreign trade meet. They from time to time, from day to day almost, had letters which gave them that information.

202. Have you had any communication with the Chamber of Commerce at Berlin upon the subject?—No.

203. Had you any official communication with the Prussian Government, or any other Government forming part of the Zollverein?—None whatever.

204. Are you aware whether the treaty with France has been concluded, or not?—No, I believe it is to a certain extent in a state of abeyance. Wurtemburg and one or two other states have not adhered to the treaty, but I believe that as between France and Prussia the treaty is so far complete, that it must come into operation, at any rate, within a certain period. I do not recollect the exact date; in 1865, I think.

205. You say that it must come into operation between France and Prussia?—Yes.

206. And between France and the Zollverein?—There are two States, Bavaria and Wurtemburg, I think, which have not given in their adhesion; that is the difficulty.

207. It will either lead to a treaty with the Zollverein, or a disruption with the Zollverein, will it not?— That is not for me to say.

208. At any rate the treaty is not yet concluded?—I say the treaty is concluded absolutely between France and Prussia, and between France and the Zollverein also, conditionally.

209. Upon what ground do you say that it is concluded absolutely between France and Prussia?—It is reported as being completed absolutely.

210. With regard to Italy, you stated that you were informed that Signor Marliani had arrived in England, and was ready to put himself in communication with the Chambers of Commerce?—Yes.

211. You further stated that you merely called to inquire at the Board of Trade, but did not ask to be put in communication with Signor Marliani?—No; I called twice after receiving the letter from the Foreign Office, and did not find that Signor Marliani had been ever put in communication with the Board of Trade, or that they knew anything at all about his movements; they could not give me any information.

212. Why did you not answer the official letter which you received officially, instead of calling at the Board of Trade?—The official letter came from the Foreign Office, stating that they had handed Signor Marliani over to the Board of Trade.

213. *Chairman.*] Will you read that letter?—It is this:—"I am directed by Earl Russell to acknowledge the receipt of your letter of the 3d instant, suggesting that the different Chambers of Commerce should be placed in direct communication with the commissioner sent to this country by the Italian Government, for the purpose of negotiating a treaty of commerce, and I am to inform you, in reply, that his Lordship has communicated the same to the Board of Trade"; that does not say what I stated in so many words; but the inference upon my mind naturally was that he was handed over, in point of fact, to the Board of Trade, for the purpose of negotiating this treaty, and that he would be put in communication with the various Chambers of Commerce. With that object I called twice at the Board of Trade, to ascertain when we were to expect to have any negotiations opened with him.

214. Mr. *Layard.*] Would it not have been better to have written and have ascertained where Signor Marliani was?—I always find that the simplest course is to go direct to head quarters. I have often carried through many matters by that course, although an endless amount of writing does very little good. I am never afraid of a journey up to town upon a matter of pressing importance, because I know that it will be much more promptly brought to a conclusion in that way than by writing.

215. Is not your business generally carried on by official correspondence, rather than by private meetings?—There are many cases, when we have to do with Government, when we can get matters much more promptly attended to by personal communication than by written applications.

216. Are you aware why Signor Marliani went back to Italy?—No; it is quite a mystery to us now.

217. Are you aware that Mr. Mallet went to Italy?—Yes.

218. Are you aware that a treaty was concluded with Italy?—Yes, ultimately.

219. What sort of treaty was it?—Very much the same as the treaty between this country and France, I think.

220. You state that you asked for a French vice-consul to be appointed at Bradford, and that Lord Russell wrote to say that Her Majesty's Government did not think it advisable to apply to the French Government to appoint one?—We asked them to apply to the French Government.

221. You are aware, are you not, that the English Government cannot appoint a French Consul?—I think we might have had a reply in less than six weeks; we had to apply ourselves.

222. Do you not think that the English Government might have sounded the French Government?—Lord Russell said he had not done so.

H. W. Ripley, Esq.

31 May 1864.

223. Does he say that he has not sounded them in his letter?—So I understand it.

224. Will you read the letter?—"Office of Privy Council for Trade, Whitehall, 17 January 1861.—Sir,—With reference to your letter of the 7th ultimo, transmitting copy of certain resolutions of the Bradford Chamber of Commerce on the subject of the appointment of a French Consular Representation at Bradford; and to the letter from this Department, stating that the Lords of the Committee of Privy Council for Trade had lost no time in requesting Her Majesty's Secretary of State for Foreign Affairs to bring the resolutions in question under the notice of the French Government, I am directed by my Lords to acquaint you for the information of the Chamber, that their Lordships have been informed by Lord John Russell, that in his Lordship's opinion, the arrangements contemplated by the French Government for increasing their consular establishment in this country rendered unnecessary any representation to that Government on the subject of the letter from the Bradford Chamber of Commerce respecting the appointment of a consular agent in that town, and he considered that it is not desirable to press the French Government upon the subject; his Lordship has further requested my Lords to communicate this opinion to the Bradford Chamber of Commerce.—I am, Sir, your obedient servant, *James Booth*."

225. There is nothing in that letter to justify your statement that there may not have been private communications between the two Governments, is there?—I think there is.

226. Will you point out what you found that opinion upon?—In the first place, it says that in Lord Russell's opinion the "arrangements contemplated by the French Government for increasing their consular establishment in this country rendered unnecessary any representation to that Government."

227. That shows rather that we had obtained information that they had made those arrangements, does it not?—His Lordship says also, that he considers it not desirable to press the French Government upon the subject. The inference seems to me to be as clear as possible.

228. Does not that imply that inquiries had been made, and that he did not think it desirable to press the French Government further?—I put another version upon it, and I venture to express a strong belief that no such inquiries have been made.

229. You stated you were pefectly clear that if the six weeks had not been lost, a vice-consul would have been appointed there?—No; excuse me, I said nothing of the sort. I said that with as little delay as possible, adopting the principle which I had adopted in many cases of the same kind, I came up to London, and went to M. Fleury, and expressed to him the strong wish of the commercial community to have a French consul, or vice-consul, at Bradford, and asked him to make a representation to the French Government. His reply was, that he believed the arrangements had been completed, but that he would be happy to forward our representations to Paris.

230. No consul or vice-consul has been appointed?—No consul or vice-consul has been appointed.

231. With regard to the constitution of the two offices, you state that you have devoted a good deal of attention to this matter; if you have done so, I suppose you must have formed some opinion. Do you think that there ought to be at the Board of Trade a department to correspond with the diplomatic agents of the Government abroad, or that there ought to be at the Foreign Office a department devoted to trade?—I should repeat what I believe I said before, that as to whether the department should be at the Foreign Office or at the Board of Trade, it is not for me to express any confident opinion. It is for the Executive to say where that department shall be. But as regards the commercial interests of the country, if they are really to be attended to and followed up for the future, there must be a special department of Government, either at the Foreign Office or at the Board of Trade, or a separate one altogether, which shall have the special conduct and charge of all foreign commercial questions, with absolute power to communicate direct with all our ambassadors, consuls, and consular agents abroad, with a representative in Parliament of whom questions can be asked relative to all commercial matters, and who again shall be the direct medium of communication between the commercial committees of the country and the foreign powers, or our agents acting abroad.

232. Surely you must have formed some opinion as to which of those departments is the best suited for the purpose?—I must decline to give it if I have.

233. Do you think it would be advisable that the Board of Trade should have the power of communicating with all our agents abroad?—It strikes me that that is simply repeating the same question. I will not give an opinion as to where the power shall be vested. I simply say that there should be the power.

234. You say that you have studied this question, and you bring an accusation against the two offices?—Yes, against the two offices, if you like to put it so.

235. I ask you in what way you think that these affairs would be better attended to; that is to say, whether you would have a commercial department in the Foreign Office or have the Board of Trade in communication with foreign nations, or our agents abroad?—I should ask that the answer I have already given should be considered as my answer now.

236. You decline to give an answer then?—No; I give the answer I gave previously, in the same words I have used before.

237. You decline to express an opinion?—I decline to give an opinion whether the department should be at the Board of Trade or at the Foreign Office, decidedly. I should think it arrogance upon my part to do so.

238. You state that the negotiations for the French treaty were carried on entirely between the Board of Trade and the English negotiators in Paris. Is that your belief?—Yes; and my belief is founded upon information gained by coming into contact with the various officials when I have come up to London at various times during the progress of the treaty. The Board of Trade, as far as I know, during the whole of the time, communicated directly with the French Government, or with our representatives in Paris. In fact, the whole matter was, I believe, entirely out of the hands of the Foreign Office. They handed

handed over the matter to the Board of Trade to negotiate and complete.

239. Who were the negotiators at Paris?—Mr Cobden was sent over.

240. Who else?—Mr. Mallet. I cannot say who else.

241. Therefore, you believe that the only negotiators at Paris were Mr. Cobden and Mr. Mallet?—No, there was a gentleman from the Customs who was with them, Mr. Ogilvy.

242. The Foreign Office had nothing at all to do with it, you think?—I believe not; we had no communication with the Foreign Office all the time upon the subject.

243. Then you are not aware that Lord Cowley was joint negotiator with Mr. Cobden?—Yes, that might be so, formally, but that did not bring the Foreign Office here in the slightest degree into connection with it.

244. Are you, or are you not, aware that Lord Cowley was joint negotiator with Mr. Cobden?—I suppose he would be there.

245. I ask you whether you are aware that Lord Cowley was, or was not, joint negotiator with Mr. Cobden?—I apprehend that he would be as a matter of course.

246. Was it a treaty negotiation, or a tariff negotiation?—It was a treaty negotiation primarily.

247. Was that treaty negotiation carried on entirely between Mr. Cobden and the Board of Trade, without any reference to the Foreign Office?—That I cannot say. As to the primary negotiation, I have no information of the mode in which it was conducted. I only speak of the after negotiations, which extended over many months. I say that during that time there was no communication ever addressed to the Foreign Office, I know, by our own Chamber, and we had a good deal to do with the matter; nor, I believe, by any other Chamber. We communicated with the Board of Trade only.

248. All you say is matter of mere hearsay opinion?—No, what I say is a matter of fact.

249. You say, as a matter of opinion, that the communications came from Paris direct to the Board of Trade, and that nothing went to the Foreign Office?—None connected with Bradford went to the Foreign Office.

250. Can you state whether those negotiations concerned the treaty, or whether those communications which were carried on through the Board of Trade, merely concerned questions of articles in the tariff?—They were questions relating to the amounts at which the particular articles should be rated in the tariff, and so on.

251. Those are mere questions of detail, are they not?—They are vital questions. I apprehend the mere treaty, as signed by Mr. Cobden in 1860, would have been of very little value to this country if the Emperor had not been sincere in his intention to carry it into effect by the alteration in the tariff.

252. You say "the treaty as signed by Mr. Cobden," was it not signed by anybody else?—I do not know; he was taking the active part, and I merely named him on that account. I believe it had Lord Cowley's signature also.

253. You have no specific knowledge of what took place at Paris, as to the treaty of January 1860, either with regard to who signed it, or any other particulars?—No, not from my own knowledge.

254. You stated that there was an immense amount of ignorance at the Foreign Office upon commercial questions?—I give that as my strong impression after repeated interviews there.

255. Do you think that the Foreign Office is the Department to give us information upon commercial questions?—So they have told us when we have gone there again and again; we have been there often.

256. You say that they have told you that our Department is the one to give information upon commercial matters?—We have never for a long time past been referred to any other Department upon foreign matters. There has been great willingness on the part of the Foreign Office to listen to the views of the members of the commercial communities upon commercial questions, and as far as possible to attend to them.

257. You stated that you had been informed at the Foreign Office that it was our business to give you information upon commercial matters; who stated that?—I can only say that I could refer to Lord John Russell's volunteered statement to us in February 1860. When the members of the various Chambers of Commerce had an interview with his Lordship upon that occasion, we requested that some more efficient means should be taken for obtaining from our consuls, or consular agents, information as to the proceedings of foreign governments with reference to their tariffs and various treaties. At that time, Lord Russell gave a promise to the gentlemen who waited upon him that the Foreign Office would for the future make communications with the various Chambers of Commerce upon these commercial matters, and the various questions which came within the knowledge of the Foreign Office from the consuls abroad from time to time. And following upon that the Foreign Office did once in the course of three or four weeks, or six weeks perhaps, give information that a treaty of commerce with Italy was about to be negotiated with France; at least that there was some rumour of the kind, and they asked for some information. But with that exception, I am not aware of the Foreign Office having ever carried out the intimation that was conveyed by Lord Russell. The fact is, we had an offer from Lord Russell that it should be done, and in fact it was done upon one occasion; but, as far as I know, it was never repeated.

258. Would you accept the opinion of the Foreign Office upon a question of foreign trade?—We must take it for what it is worth; it is the only means of communication we have.

259. You know the relations between the Foreign Office and the Board of Trade?—It is impossible for me to know precisely what the relations between the Foreign Office and the Board of Trade are.

260. Upon what ground do you so completely condemn the relations between the Foreign Office and the Board of Trade, if you do not know what they are?—I condemn the results; I do not condemn the relations.

261. What results?—The absolute want of results, if you like to put it in that way, consequent upon the action of the various Chambers of Commerce who have been bringing pressure to bear upon the Foreign Office for the last three or four years; the perfect barrenness of results, as far as I can see, in any negotiation with any country upon the face of the earth.

H. W. Ripley, Esq.

31 May 1864.

262. You stated a very strong opinion that the way in which the two offices work together, renders it impossible for the trade and commerce of this country to obtain what you think they have a right to?—Yes; I judge it by the results.

263. You do not know what those relations between the offices are?—It is of course very difficult for me to know the precise relations and mode in which the two offices act upon each other, but the results are so unsatisfactory that some change must be made.

264. You complained, at the beginning of your evidence, that a period of two months was allowed to elapse before one of your letters was acknowledged; have you any other complaints of that kind of a want of a speedy acknowledgment of letters, or is that the only one?—That is a very important one on account of its having reference to a variety of special matters, and matters which were deemed to be of vital importance.

265. You have no other instance to give but that?—No such striking instance, except as I say, the general barrenness of all our endeavours.

266. Are not your communications answered very speedily from the Foreign Office?—They are generally acknowledged in some way or other.

267. At once?—Yes, generally.

268. You have no other complaint to make, except that which you have specified?—Except the general complaint, I have nothing more.

269. Mr. *Pender.*] The letters are answered, but the answers convey no satisfactory information, is that so?—Generally.

270. Mr. *Seymour Fitzgerald.*] You state that in January 1859, you addressed a letter to Lord Malmesbury?—Yes.

271. I understood you to say that the answer to that letter was dated the 11th of April 1859?—So it appears in our minutes.

272. Can you state that that was the first reply which you obtained?—I certainly believe so.

273. You handed to me just now a document which purports to be a letter from the Bradford Chamber of Commerce to the Members of the House of Commons, in which I find this passage: "In January 1859 the Chamber, in a letter addressed to Lord Malmesbury, endeavoured to rouse Her Majesty's Government to action, and received at first the most satisfactory assurances; but on the 11th of April 1859 the council was informed, by the Foreign Office, that the Belgian and French Governments had come to an understanding that the Commercial Treaty should be prolonged for two years"?—Yes; that may be accounted for in this way, that the letter to Lord Malmesbury was delivered by our members; and I remember distinctly that an intimation was conveyed through them, in the most satisfactory manner, that the whole matter would have the great attention of the Foreign Office.

274. You will undertake to say that you remember that?—Yes, I think I may venture to say that that really was the fact.

275. Mr. *Charles Turner.*] The assurances were personal?—Yes. The memorial to Lord Malmesbury was handed to him by our representatives for the time being, who would be Mr. Milligan and Mr. Wickham.

276. You spoke of some letters that were written by the Bradford Chamber of Commerce in May 1861, with reference to the Belgian treaty?—Yes.

277. Did you make any communication in May, or early in June, to the Board of Trade?—We addressed a long letter to the Board of Trade in July, and we referred in that letter to various communications which had been addressed to the Foreign Office in the month of May.

278. You stated that at the end of May you wrote to the Board of Trade?—To the Foreign Office, I think.

279. On the 16th of May you wrote to the Foreign Office, and at the end of May you wrote to the Board of Trade—that was your statement at the beginning of your evidence?—I think I ought to have said that we wrote again to the Foreign Office in May. The passage in the letter to the Board of Trade runs to this effect: "The Council renewed their application to the Foreign Office in 1860, and received answers dated 11th January, 22d May, and 31st May 1861, containing information that a new Treaty of Commerce was about to be concluded with Belgium." I am not aware that there was any communication made in May to the Board of Trade.

280. Mr. *Seymour Fitzgerald.*] The first communication you made to the Board of Trade was in July 1861?—Yes.

281. In one of your answers you stated that the Chamber of Commerce was in hopes of obtaining a good result from the assistance offered by the Board of Trade, will you explain what you meant by that?—Inasmuch as it appeared to us to have become almost hopeless to get the Foreign Office really to attend to the matter, we applied to the Board of Trade, thinking that the Board of Trade would join us in some representation to the Foreign Office, for the purpose of pressing this important matter upon Belgium: that was our object, and idea, in fact.

282. That was the object of your letter of 3rd July?—That was the object of the letter.

283. Did you receive any reply from the Board of Trade?—I am not aware that we did; the fact is, that one matter pressed upon another so quickly at that time, that several of us were here in London during the whole of July, more or less; and I have no doubt that we were constantly in communication with the Board of Trade upon this question, because, following upon this letter of the 3rd July was the Honourable Chairman's question which he put to Lord John Russell, in the House of Commons, on the 12th July. Following upon that again, on the 24th of July, was the large deputation which went to Lord Palmerston, and the communications at the same time with the Foreign Office and the Board of Trade. Therefore, under the circumstances, I scarcely expect to find a written reply from the Board of Trade to this letter of the 4th.

284. Will you explain what you meant when you stated in answer to a question of the Honourable Chairman, that you were sanguine of the result in consequence of the assistance offered by the Board of Trade?—That is to say that the Board of Trade offered to do all they could to assist us in bringing this matter to a conclusion with the Foreign Office; to represent to the Foreign Office the necessity of this matter being attended to.

285. You mean that the Board of Trade promised in every kind of way to assist in this matter being pressed upon the Foreign Office?—Yes.

286. Mr.

286. Mr. *Henley.*] You stated in answer to a question which was put to you, that you were not aware of the relations between the Foreign Office and the Board of Trade, but if I gathered your opinion rightly, it was that you considered the result, whatever those relations might be, unsatisfactory?—Most unsatisfactory.

287. In point of fact, you, as representing the Chamber of Commerce (if I may use the phrase), judge of the tree by its fruits; am I right in that?—We think so.

288. With reference to what you stated as to the Treaty of Paris, if I gather your opinion rightly, you consider that that treaty was substantially negotiated by Mr. Cobden on the one hand communicating with the Board of Trade, whatever technically the form might have been, and Lord Cowley, on the other hand, being joined with him, or superior to him in rank?—In point of fact, judging from the time when I was in Paris, which I was on one occasion with reference to that matter, I never heard of Lord Cowley being present at the place of negotiation. The impression upon my mind was, I think, the same as that of a number of other gentlemen who were there; we never saw Lord Cowley, or heard of him in connexion with the negotiation of the treaty; and, if we are rightly informed, Lord Cowley was never present during the whole time.

289. Although in point of form Lord Cowley might have been joined with Mr. Cobden, in substance the work was not done by him; that is your opinion, is it not?—Yes; to a certain extent, I can speak from my own personal knowledge; and if the information I have received from other gentlemen is correct, the result is the same.

290. I understood you to state in some of your answers, that you thought that our relations with Belgium were of that friendly nature, that we were entitled to be put in what may be called the position of the most favoured nation as regards that country?—That has been our opinion for years; and it has been upon that ground that we have pressed the matter upon Her Majesty's Government.

291. If I caught your answer rightly, I understood you to state that you were not aware that Belgium would not make concessions without receiving something in return; and still less, that you were aware that they were to be paid for what we did obtain?—Certainly, they were not.

292. Sir *Minto Farquhar.*] You have laid, I think, the principal stress of your complaint upon what happened with reference to the Belgian Treaty?—I have given that as a strong case in point, but I lay the principal stress of the complaint really upon what has been done as regards every matter that has been brought forward with reference to commercial questions by the Foreign Office since the time of the Franco-Belgian Treaty, up to the present day.

293. You think that the Foreign Office did not exert itself sufficiently, either in the Belgian case, or the Italian case, or the Zollverein case?—Yes; that is my opinion; and I believe that that is shared in by the commercial community generally.

294. You stated that when you went to the Foreign Office, your impression was, that great ignorance was shown by the Foreign Office upon commercial questions; with whom did you confer?—I have never attempted to go to the Foreign Office privately, so to speak, as I have done to the Board of Trade; at the Board of Trade I could find half a dozen gentlemen to speak to; I never presume to go to the Foreign Office except with a deputation.

295. Mr. *Cobden.*] You do not feel that you can have any unofficial communication with the Foreign Office?—Not at all.

296. Sir *Minto Farquhar.*] You stated that it was your impression that great ignorance as to commercial matters prevailed at the Foreign Office. I wish to find out how that impression was made upon your mind. To explain that, I may state that the Foreign Office communicates upon all questions of commerce with the Board of Trade, and obtains an opinion from the Board of Trade, where there are gentlemen whose business it is to give opinions upon commercial questions. You might, therefore, go to the Foreign Office and find parties who would say to you, "Upon these questions of commerce we must refer to the Board of Trade." Would the fact of such an answer being given to you lead you to think that there was perfect ignorance upon those questions at the Foreign Office?—It is those answers that have led us to that opinion of course, that the Foreign Office had no constituent element of commerce in its formation, and that the answers that they would give to various questions must depend either upon the information which they had received from abroad upon the particular case or upon the result of a reference to the Board of Trade for information.

297. You stated as your opinion, I think, that the fact that the Foreign Office has to communicate with the Board of Trade, and to receive an answer from them causes the delay that you complain of?—It causes delay, certainly, to a certain extent, and divided responsibility also.

298. Supposing that, as the matter stands, it is the rule that all commercial questions are to be referred to the Board of Trade, do you think that in an interview in which you are speaking of questions falling within the province of the Board of Trade it is quite fair to put it upon the Foreign Office, that they are totally ignorant upon the subject because you get the answer that they must refer to that Board for special information upon those subjects?—The fact still remains that you are talking to gentlemen who are ignorant, and ignorant from their own confession, of those matters. Surely the time has come when we are not to be trifled with any longer, and when commercial men ought to be able to go to a department of the Government which has not only a knowledge of commercial matters, but also the power of communicating that knowledge abroad. It is perfectly unreasonable to expect that the communications upon those matters can be well and accurately represented if they have to pass not only through a department which has knowledge on the subject, but through one which has no knowledge, in order to be sent abroad. Confusion seems to be the necessary result of such a system. That is one of the great points that we have to complain of.

299. Are you aware that the treaty of commerce between this country and Belgium, completed in 1851, did not contain any most favoured nation clause, and that Belgium was, in fact, legally entitled to confer upon the commerce of France privileges which she withheld from the commerce of the United Kingdom?—That is the very

H. W. Ripley, Esq.

31 May 1864.

very point which we had to complain of from time to time.

300. According to the Treaty of 1851 between England and Belgium there was no most favoured nation clause, and under that treaty Belgium was entitled not to confer upon England the same privileges which she conferred upon France; were you aware of that circumstance?—I did not remember it; it is a most unfair state of things, surely.

301. Do you not think that that being the case, it was quite possible that delays would have occurred, from that circumstance, until you could negotiate a new treaty?—If my impression is correct, there have been treaties between France and Belgium since that time.

302. I will read to you a passage in respect to the treaty which I particularly allude to:—"My Lords do not, however, apprehend that this country, which now treats Belgium on the footing of the most perfect equality, will in practice be exposed to treatment so manifestly injurious and unfair." That is the absolute statement of the Board of Trade in writing to Mr. Hammond on the 11th of January 1861. Our great point of complaint is, that when this new treaty with France was being negotiated, which we became aware of in November 1860, our Government altogether neglected to watch that favourable time and opportunity for the purpose of getting us placed upon a just and sound and right footing.

303. You gave the Government two months' notice of what was likely to happen?—We gave them notice directly we heard of it, and they neglected it, although it was a very vital point.

304. You think that they delayed two months?—Not two months, I think, at first; but, from the correspondence I have heard read to-day, it appears that, after the communication in January or early in February, no communication again was made upon the subject to Lord Howard de Walden until the following May or June.

305. Do you think that if a communication had been made previously to the time you have just mentioned to the Government of Belgium by our Government, it would have had sufficient effect upon the political and commercial feelings which were evidently evinced in Belgium to enable our Government to obtain what you desired?—There was no commercial feeling existing at that time, because the treaty of commerce had not excited that attention on the part of the community which it did afterwards when it took a more tangible shape. Our object was to induce the Belgian Government to act towards us as they were acting towards France in the preliminary stage, and we contend that if they had done so, the strong feeling on the part of the community against our treaty, which I admit caused a difficulty, would never have existed.

306. You stated that the delay had caused great injury to the worsted trade?—Yes.

307. And you think that if that period had not elapsed there would have been a great difference in that respect?—No doubt.

308. The fact of France having been able to establish a sort of footing in Belgium was detrimental to our interests?—It was detrimental both as giving them a better footing, and imposing additional duties upon our own manufactures in comparison with theirs.

309. You say that for some years previously the trade of Bradford with Belgium had to some extent declined?—Yes, unquestionably.

310. Did that trade more particularly decline during the 12 months that intervened between the Franco-Belgian and Anglo-Belgian Treaties?—It is very difficult to find the data from so large a trade, but gathering information generally from the merchants engaged in it, I think I may say that it was a declining trade.

311. If *pari passu*, with the advantages which were given to France, those advantages had been given to England, do you think that the trade of Bradford would have recovered the loss it sustained?—It would have recovered very materially, no doubt.

312. Mr. *Charles Turner*.] When you stated that Lord Cowley had no connexion with the French Treaty, as far as you knew, you were rather referring to the tariff than the treaty, were you not?—Yes; so far as the preliminary treaty signed in January 1860 goes; I do not know much of it.

313. Considering that the tariff is the most important part of the treaty, when you were negotiating with reference to the particular subjects of that tariff, you had nothing to do with Lord Cowley, but only with Mr. Cobden?—Yes.

314. You stated a short time ago that Lord Cowley had nothing to do with the treaty. I think there must have been some misapprehension; I suppose you meant to say that he had nothing to do with the tariff?—Yes; I intended to say, with reference to the preliminary treaty, the treaty signed in January 1860, that I had no knowledge as to the parties who signed that treaty, or how it was effected.

315. When you told an honourable Member opposite that you thought that Lord Cowley had nothing to do with the treaty, you meant to say that he had nothing to do with the tariff arrangements?—So far as I am aware, he did not take any part in looking after the details, and they were the most important part.

316. The tariff itself was the really vital matter; the preliminary treaty you considered of minor importance?—Yes; the mere short treaty signed in January 1860, in my opinion, might have been made perfectly valueless to this country if the Emperor had been disposed that it should be so.

317. All your answers stating that Lord Cowley had nothing to do with the treaty, meant that he had nothing to do with the tariff, which was the essential part of the treaty?—Yes.

318. I understand you to say that the Foreign Office having paid no attention to your representations, as you conceived, in November 1860, having merely referred the matter in January 1861 to Lord Howard de Walden, and having taken no action, as you conceived afterwards, until the Franco-Belgian Treaty was published in May 1861, you consider that the representations which they made afterwards were of very little effect, and that if they had made such representations between November 1860 and January 1861, they would have been more likely to have succeeded in influencing the Belgian Government than they could be afterwards, when the terms of the Franco-Belgian Treaty were published?—We thought that they had lost the best time.

319. There was not the same feeling against a commercial treaty with England between November 1860 and January or May 1861, that there was after the Franco-Belgian Treaty was published?

published?—We never heard of it until after that time.

320. You consider in fact that if the exertions which were used afterwards had been used before, you would have got better terms?—No doubt of it.

321. Mr. *Pender.*] I think the impression that you wished to convey was, that this French treaty was originated practically by Mr. Cobden, and that the details were carried out by Mr. Cobden, assisted by Lord Cowley and other gentlemen, and that the result of that treaty has been so satisfactory in comparing the results of it with the Belgian Treaty, which followed immediately afterwards, that commercial men are disappointed that they did not get something better out of Belgium, and that they believed they would have got something better out of Belgium if the same course had been pursued which was pursued in negotiating with France?—Yes.

322. Mr. *Layard.*] Had we not a great deal to give to France in return for what she gave to us?—We had something to give.

323. Had we not much to give; was not that tariff a matter of bargain and sale?—To some extent, of course, it was so.

324. It involved mutual concessions?—Yes, to some extent.

325. Did we not give to the rest of the world what we conceded to France at that time?—Unquestionably.

326. Had we anything to offer to Belgium?—No, nor was Belgium entitled to ask anything but what we had given.

327. Had we anything to offer to Italy?—Substantially not.

328. Are you not in a different position when you have something to offer from that which you are in when you go to a country requiring great concessions, and having nothing to offer?—Yes, to some extent it is so; but that makes it all the more necessary that you should for the future have located both in Italy and Belgium, and in every other part of the world, men who are conversant with commercial matters, that our consuls and agents should be men who know something of commercial matters, and that they should be able to communicate at home with a head who knows something of commercial matters, and who should forward their communications again to the various Chambers of Commerce in the country.

329. Have we not consuls and other persons who either yearly or twice a year make the most full reports upon every commercial question, which reports are printed and circulated amongst the Chambers of Commerce?—It is the first time that I ever heard that they were circulated among the Chambers of Commerce.

330. Has the Chamber of Commerce at Bradford, never received from the Foreign Office our reports of consuls upon trade in foreign countries?—I am not aware of it.

331. Are you not aware that those reports are laid before Parliament?—They may be laid before Parliament amidst the masses of papers possibly, but so far as their being made use of goes, I must confess that I was ignorant of such documents.

332. As the President of the Bradford Chamber of Commerce, do you not think it is your duty to ascertain that such reports are published?—No, we think it is the duty of a Department of Government to obtain that information from the various consuls abroad from time to time, and to transmit it to the Chambers of Commerce. Two or three years ago we asked Lord Russell that that should be done, and up to the present moment if that has been done I, who certainly attend our Chamber and our meetings pretty regularly, am not aware of it.

333. Surely you do not expect the Government to carry on your trade and everything; we obtain those reports from the consuls and secretaries of the embassies, and they are presented to Parliament; is it not then the duty of the Chambers of Commerce to make themselves acquainted with them, and not wait for the Foreign Office to teach them?—It strikes me that it is the duty of the Foreign Office to put them in a tangible form for us.

334. That is done already, is it not?—I do not know that.

335. You are not aware that those reports are published?—They are not put in a tangible shape for the use of the various Chambers of Commerce.

336. You don't say that there was any opposition on the part of the Foreign Office to the French Treaty?—No opposition. I think that the Foreign Office threw it overboard altogether, and left it happily in the hands of the Board of Trade to carry out.

337. Are you aware of the relations between the commercial bodies and Foreign Offices in foreign States?—No.

338. Do you know whether, in any other country, the Chambers of Commerce and commercial men have direct communication with the Foreign Office?—I do not know the relations between them precisely in foreign countries, but this strikes me as a very simple illustration of the mode in which the French Government occasionally transacts its business. I happened to have a matter of a public nature which I wished to lay before the Minister of Commerce in France a twelvemonth ago, and I went over to the consul at Leeds to ask him to lay it before the Minister of Commerce; he forwarded my documents, and I received a reply direct from the Minister of Commerce in Paris intimating that he should complete the negociation directly with me, without the intervention of the consul at Leeds.

339. When you went to Paris, you did not go to the Minister of Foreign Affairs, but to the Minister of Commerce?—I went to the French Consul at Leeds, and asked him to transmit the documents, which he did, and the reply that I received was from the French Minister of Commerce, intimating that he should be glad to receive any fresh communications direct from me.

340. Therefore your communications were not with the Minister of Foreign Affairs, but with the Minister of Commerce at Paris?—Yes.

341. Mr. *Charles Turner.*] Your wish is, that there should be some Department in England like that of the Minister of Commerce in France?—Yes.

342. Sir *Minto Farquhar.*] Do you think that the Minister of Commerce in France does not communicate upon all matters of foreign commerce with the Foreign Minister?—It appeared that he had the power to communicate with me direct on this occasion, without the interference of the Foreign Minister.

H. W. Ripley, Esq.

31 May 1864.

343. Mr. *Milner Gibson.*] The complaint is, that foreign countries have not reduced their tariffs, and so opened markets to our manufactures, is not that the real complaint?—No, I should not say that that was the real complaint, because I do not think that we have any right to complain of foreign countries not reducing their tariffs, or otherwise.

344. When you mentioned the word "results," did you not mean by that, that from some cause or another the attempts that had been made to induce foreign countries to reduce their tariffs had been unsuccessful, and that that was a source of complaint?—Yes, our belief is that there is so much free trade feeling abroad in the world now, that if we had men interested in commercial questions, located at our various embassies and otherwise, they would so far bring their influence to bear upon the Governments of those countries in which they were placed, that especially where the tariffs are very high, some alteration might be made in the tariffs of those countries, for their own interests as well as ours.

345. Do you think that our diplomatists and consuls should lose no opportunity, during their residence in foreign countries, to propagate views which are in your opinion sound, upon commerce?—We think so. I think, also, that they should lose no opportunity of sending home information upon commercial questions from the places where they happen to be located; and if such information does come, and is published, I shall look out for it for the future, after what the honourable Member has told me; I was not aware that it was published before.

346. Are you not attaching too much importance to the effect that any relations between the Board of Trade and the Foreign Office, be they good or be they bad, may have upon foreign tariffs?—The first step, I think, is to have a sound organisation at home, through which negotiations, when such questions do arise, may be satisfactorily conducted.

347. There would not be negotiation for the purpose of convincing a foreign Government that the reduction of its tariff is a matter for its own interest, would there?—Yes, undoubtedly, that it would be to their interest, I think.

348. Is not that a matter of teaching and persuasion?—To some extent it is so.

349. Does not negotiation imply mere teaching and persuasion in such a case?—The negotiation follows upon that teaching, I apprehend.

350. If a country is persuaded that it is its interest to reduce its tariff, it reduces its tariff, and the world has the benefit of its reduction; why is it necessary that there should be any negotiation upon the subject in such a case?—That I apprehend has been the view of the Government with reference both to the Belgian and the Zollverein, and other questions. They have said, "Why is it necessary for us to seek to negotiate those matters? We are so indifferent about it, that we will let it take its course; we have no choice in the matter." I apprehend that when two such nations as France and Prussia, or France and Austria, or France and Sweden, open negotiations for the reduction of their tariffs, it is no longer a matter of choice for us whether we shall stand quietly by and let those negotiations be concluded to our detriment. Nor have we any reasonable ground of complaint against foreign nations, so long as they let the thing work fairly and equally. All we can say is, if you reduce the tariff to France, you must do so for us likewise.

351. That is, we ought always to insist upon getting as good treatment from a country, as that country extends to other nations?—Yes; and by having such consuls as I have described, located abroad, you would not only get that advantage, but you would be able to collect more information upon commercial affairs from other countries than, as far as I am aware, we have had collected hitherto.

352. When we go to a country asking them to make certain reductions in their tariff to promote English interests, does it not induce that country to believe that it is for our own purposes that we ask it, and not upon Free Trade principles, for the interests of the country itself?—I apprehend that we do not go primarily in that character.

353. When we have nothing to offer, what kind of negotiation beyond the favoured nation clause, can be commenced with any country; can we do more than persuade the country that it is very desirable for their interests that the duties should be reduced?—That question of course implies that some communication upon commercial matters must be made from time to time to foreign countries.

354. Is not the circulation of commercial information in foreign countries very useful?—Yes, but in order for that information to be circulated effectually and soundly, it must be circulated by men who really understand and care for the subject.

355. A paper prepared in this country might be translated into different languages, showing the advantages that we have derived from our changes upon Free Trade principles; would not such a proceeding be advantageous, and likely to form a sound opinion on the subject in foreign countries?—Supposing such document to be prepared, which I apprehend is a very rare thing, it is sent out, in nine cases out of ten, to men who do not care a straw about it, and who are simply ignorant upon commercial matters.

356. *Mr. Layard.*] You are making a sweeping assertion with respect to our foreign consuls; upon what do you found that statement?—I simply say that that is my opinion.

357. You have made a serious charge against a large number of public servants: upon what is that opinion founded?—My impression is that it is perfectly notorious that the men located abroad generally are not commercial men in any sense of the word, they are men who have had no previous education in those matters. They are perfect gentlemen, and willing to do their duty, no doubt. I do not blame the men, but the system.

358. You have admitted that you had never seen a report from the consuls: without seeing the reports and knowing the men, you have ventured to make a charge against the consuls representing this country, stating that they are perfectly indifferent to trade: I beg to ask the name of one single gentleman whom you condemn in this way as being indifferent to trade?—I put it generally with respect to the whole of them.

359. You decline to specify anyone?—I can only say that I spoke generally.

360. Mr. *Cobden.*] You say that there is a sound knowledge upon commercial questions, and great zeal in your cause, at the Board of Trade?—Yes.

361. You are under the impression that there is a deficiency of those qualities at the Foreign Office?—Yes, that is our impression.

362. What you would like to see would be the spirit and knowledge of the Board of Trade infused into the Foreign Office, if you could?—Yes, into some Department of the Foreign Office; that of course would leave matters to be transacted as between the two offices. It appears to me that it would be much more desirable if there was a distinct department either at the Foreign Office or at the Board of Trade, which should have the direct control of all foreign commercial matters, and the means of communicating directly with our consuls and commercial agents abroad, who by that means would be encouraged, and would know that the communications which they sent home with reference to commercial matters would be attended to. I may be mistaken altogether upon that point; but from all that I have ever read and seen, my impression is that the gentlemen whom we have located abroad, generally, are not men who have been conversant with commercial affairs previously to going to their places of location; and consequently, from the very necessity of the case, they cannot watch those matters with the same care and attention as gentlemen who have had some previous knowledge of commercial affairs.

363. Sir *Minto Farquhar*.] Your statement with regard to the Diplomatic Service is a very serious one indeed; what do you suppose is the object of sending ambassadors, consuls, and consular agents to foreign countries, and particularly to commercial ports and towns; what is their absolute duty?—They are sent, I suppose, as the representatives of this country, in the various degrees and grades that they occupy, and as a medium of communication with the foreign countries.

364. This country is essentially a commercial country, is it not?—Yes.

365. Our whole prosperity depends upon our commerce?—Yes.

366. Do you suppose that any gentleman, sent as a consul, would not feel in time of peace that his first duty was to advance the commercial intercourse between the country he is representing, and the country in which he is placed?—I think he ought to do so; my impression is that he does not do it.

367. I understood you to say that the Chamber of Commerce at Bradford did not receive the consul's reports, nor any reports upon commercial matters, which were published for the advantage of commercial men generally in this country?—So far as I know, we do not.

368. Are you aware that not only have the consuls to make periodical reports, but that for the last few years every Secretary of an Embassy, and Secretary of Legation, has been obliged to make a full and entire report upon all matters connected with commerce in the country in which he is a secretary?—Possibly, if the Foreign Office were to begin to send those reports, say for the last two or three years, to the Chambers of Commerce in the country our opinion might be quite changed.

369. Have you never read long extracts taken from those reports of the Secretaries of Embassies and Legations upon commercial matters, which have actually appeared in the money articles in the "Times," and been spoken of with very great praise?—I will not say that I have never seen a short paragraph upon the subject, but generally I say no.

370. Do you mean to say that the Chambers do not have those reports sent to them, and even form a committee to watch those reports, and to see that the Government is doing its duty in regard to them?—All I can say is, that I have never seen them.

371. *Chairman*.] With regard to the Belgian Treaty, are you aware that at the time when that Treaty was contemplated between France and Belgium, it was a concession not merely on the part of Belgium to France, but a concession also on the part of France to Belgium; it was a reciprocal treaty, one part of which was, that Belgian produce was to be admitted upon easier terms into France?—Yes.

372. Do you not, therefore, think that if representations had been made by our Government, with a full knowledge of the details at the time that the treaty was in negotiation between France and Belgium, it would have been more likely that the Belgian Government would have come to some terms with the English Government, because any delay in the Franco-Belgian Treaty would have been injurious to certain interests in Belgium?—That is my opinion.

373. Do you not, therefore, think that the opposition made in Belgium itself to the Anglo-Belgian Treaty, would have been less likely to have been severe, if the Anglo-Belgian Treaty had been mooted at the same time by our Government that the Franco-Belgian Treaty was mooted by the French Government?—That is our opinion.

374. Does not that increase your surprise that the Government took no account of your warnings in November, and took no action upon the matter until the May of the following year, when the Franco-Belgian Treaty was practically concluded?—Yes, that is the case.

375. Have you not heard it stated that it is necessary for our Government, inasmuch as it has nothing to give either to Belgium, or to the Zollverein or Italy, to wait till treaties are concluded between those countries and France?—Yes; I have heard that stated.

376. Are you not of opinion that we should be more likely to obtain the consideration of English interests if our ministers abroad were instructed to press upon the Governments of countries that are making treaties with France, that it would be a matter of common friendliness to this country to inform us of the details of such treaties?—I think our ministers abroad ought to watch those negotiations, and to have power to press upon foreign nations the right in fairness of granting to us everything they grant to another country.

377. Do you not think it is right that they should press upon foreign Governments that we should be informed of such negotiations on the ground of common friendliness?—We think so.

378. Do you not think that it would be much easier for a foreign Government to make reductions in the tariff on British goods, at the same time that they make a reduction in the tariff on French goods?—The replies given both by Belgium and the Zollverein, so far as I understand, confirmed that view of the case. The inference is strong, that if we had opened our negotiations at the same time that the French were negotiating

H. W. Ripley, Esq.

31 May 1864.

tiating, we might have had the same advantages given to us as were given to France, and at the same time.

379. The Right Honourable the President of the Board of Trade has asked you whether you did not think that all you could ask for was to be treated as the most favoured nation; do you not suppose, that at the time when a foreign Government is making a treaty with France, and altering its tariff, there may be many matters of detail, perhaps of no great importance, but still affecting trade, upon which a reduction of tariff as between that country and England might, at the same time, be made, and that it would be more useful to English interests if some person acquainted with the details of English manufacture were present, and able to give information to such foreign Government?—I think so, and I think there are many matters in a tariff which are not absolutely in common as between France and England, which France would not object to have brought forward at the same time that she was negotiating herself; and that would be materially for the benefit of this country, I have no doubt.

380. You have not only made representations from your own Chamber, but you have made representations in common with other Chambers upon the matter of foreign tariffs. Is it not the case that such representations have been made to induce our Government to give such information abroad as would lead to the reduction of foreign tariffs, rather than looking forward to reciprocity treaties between our country and other countries?—Yes, that has been the object.

381. Mr. *Milner Gibson.*] The Honourable Chairman did not quite represent me fairly; what I said was that all that we could ask by treaty at the present time seemed to be the favoured nation clause, because having nothing to offer ourselves, we could not ask that other countries should bind themselves to us to make certain tariff reductions?—Yes, I think we might do something more than that.

382. I know that we may do many things in other ways, but can we ask a country to bind herself to us by treaty, to do more than treat us as well as other nations, without our having anything to offer in return?—I think there is an advantage in watching other nations.

383. Will you answer my question, can England, with any hope of success, ask any foreign nation at this time to bind herself by treaty to England to certain tariff reductions, or to go beyond giving England the favoured nation clause?—Not if you do not open the question whilst she is negotiating with other Powers.

384. If we had gone to Belgium while France was negotiating with Belgium, would not the Belgian manufacturers have seen a rock a-head, and when they were told that they would not only have to submit to reductions in favour of France, but that those reductions would be extended to England, would not those Belgian manufacturers have been more alarmed than if France alone was in the field?—If that was so it was not a sufficient reason why we should have delayed making any communication to Belgium.

385. Are you sure that we should not by interfering at that time have prevented Belgium from making the concessions which she did make to France?—Ultimately the Government did interfere upon our representations.

386. You say that we should have interfered while Belgium was negotiating with France. I ask whether you are sure that if we had done so we should not have prevented France from obtaining the concessions which she obtained?—I think not; I believe the very contrary. So far as we know there was no particularly hostile feeling as regards this country or against France either during the months at the end of 1860 and the beginning of 1861, and then the whole matter might practically have been done, as we maintain and believe.

387. Would not the Belgian manufacturers have been soon on the *qui vive* when they were informed that they were to be exposed to English competition?—I do not see why they should be more so as regards England than as regards France.

388. Do you mean that they would not have been more alarmed by being told that they would have the double competition of England and France than if they were told that they would have the competition of France alone?—They might or might not; but surely that was not a sufficient reason why we should not make the attempt.

389. With regard to the Treaty of 1860, you charge the Foreign Office with delay. Are you sure that it was not advisedly postponed with the object of obtaining for England better terms than those which could have been obtained whilst the French Treaty was being negotiated?—Certainly not, because it is perfectly evident, to my mind, from the correspondence, that between the 3d of November and the 3d of January the Foreign Office had never attended to the question, until we wrote the third letter. When we did write the third letter the inquiry was made of Belgium through Lord Howard de Walden, and the reply from Belgium was that there was no intention to give any indulgences to France which were not given also to England.

390. *Chairman.*] You have just been asked whether you do not suppose that the Government intentionally did not moot the question of the preference to France over England while the Franco-Belgian Treaty was in negotiation fearing that it might prevent the Franco-Belgian Treaty from being concluded; do I rightly understand that you think that the Government could hardly have had that opinion, because they did take action twice in making communications to Lord Howard de Walden, although they did only do so after receiving your representations, and after doing so they were perfectly quiescent?—That is what I intended to say.

391. Do you not also suppose that if when Lord Howard de Walden informed the Government that he believed that no such treaty was in contemplation, he had had the information which you furnished to the Foreign Office, he would have found out that there was such a treaty in contemplation?—Yes; we think so.

392. With regard to the connexion between the two offices, I understand you to say that you do not wish to give an opinion as to which office ought to conduct the foreign commercial correspondence?—Yes.

393. You are of opinion, as a commercial man, that you ought to have to deal with one office only?—I think we shall never have satisfactory results until such is the case.

394. If the Board of Trade is to be responsible,

sible, you think that the Board of Trade ought to be put in direct communication with the consuls?—Yes, no doubt.

395. If, on the other hand, you are informed that two departments of Government cannot conduct negotiations with foreign Powers, and therefore the Foreign Office must conduct the negotiations upon commercial subjects, you think that the Foreign Office ought to have within itself information upon those subjects?—It ought to have a commercial department in itself.

396. You do not consider it advisable that the department which conducts the negotiations should have to go to another department for the information upon which to conduct those negotiations?—No; it is contrary to all business ideas of conducting a treaty to a satisfactory issue.

397. Mr. *Milner Gibson.*] As to the arrangements between the offices, do you think it is necessary for the good management of this commercial business, that the knowledge and the power should be in the same office?—They should be vested in the same office unquestionably.

398. Why do you think that; is not it usual for yourself, for instance, in the transaction of your own business to consult persons upon branches with which you may not be acquainted, and to take their advice, and then to act accordingly?—Yes; to a certain degree, of course, that must be done in every business.

399. To take an illustration; one branch of business which the Home Office has to deal with, comprises matters arising under the Extradition Treaties, for instance, applications made for the delivery of persons who may have escaped to England to a foreign Government; those applications are made to the Foreign Office; do you think it necessary that the Foreign Office should have the knowledge to act as well as the power to act, upon those applications; do you see any disadvantage in the Foreign Office getting an opinion either from the law officers of the Crown or from the Home Office as to how it should act?—I am not venturing to give an opinion as to transactions between the Foreign Office and the Home Office.

400. Is there any distinction between the two cases?—That I cannot tell.

401. Do you not think that there may be a consulting department and an executive department, acting together, and producing the result?—It appears to me that such cannot be a satisfactory mode of dealing with the commercial questions which must arise from time to time. I have formed a very strong opinion that for them to be conducted satisfactorily, you must have one department which is alone responsible, and with which the commercial community at home can communicate, and which has the power of communicating direct with our representatives abroad upon all commercial questions.

402. You say that that department should be alone responsible?—Yes, alone responsible.

403. Still, although responsible, it may take advice and acquire its knowledge from another department, may it not?—No; it seems to me contrary to the nature of things.

404. What you mean by saying that it is "contrary to the nature of things;" the Government is responsible for its action, but when it is dealing with a question of law, it is advised by the law officers of the Crown; do you call that a divided responsibility?—Perhaps not in a simple case of that kind.

405. The Foreign Office may be fully responsible, but still it may consult with a Commercial Department, and receive advice from that Commercial Department, may it not?—It may do so, but that seems to me not a satisfactory state of things.

406. For the interests of commerce, do you not think that it is better that the Foreign Office, which has political business to transact, should be advised by an independent Commercial Department that is quite unembarrassed by political consideration, rather than the commercial branch should be in the Foreign Office itself?—No, I do not think so.

407. Do you think that the heads of the Foreign Office would be less likely to be well advised by an independent Commercial Department in reference to the commercial merits of a question, than if they were advised by some one in their own office; do you think that Earl Russell, for instance, would be less likely to go right when advised by an independent department, such as the Board of Trade, than when advised by a chief clerk in his own office?—Yes; I think so. I presume you refer to advice upon commercial questions.

408. Would he be more likely to have before him the full commercial merits of a question if he were advised by a chief clerk in his own office?—I should say so decidedly, if you have one man in the department who is responsible, and who can collect his information from all sources. It comes to a question of responsibility; it is there that the whole fault of the present system rests. We say that there is such a divided responsibility between the Foreign Office and the Board of Trade, that the results which are so unsatisfactory may be accounted for to some extent.

409. Where is the divided responsibility to Parliament on foreign commercial questions?—I am speaking now of divided responsibility as regards the public; as regards ourselves, in point of fact.

410. Is the Foreign Minister, in your opinion, responsible for his communications with foreign countries?—Yes. I may observe that, as an illustration of a case in point as regards the Foreign Office and the Board of Trade, you may take the case which we have now laid before the Committee. I have endeavoured to lay before the Committee various complaints of delay and neglect, as we consider, in the negotiations or in the prosecution of arrangements with foreign countries, which we think might have been carried out better and more speedily. I confess I am at a loss to know now, from what I have heard, whether that delay arises from the fault of the Foreign Office or the Board of Trade. I do not know whether the Foreign Office have duly handed to the Board of Trade those representations which we have made to them from time to time to be examined, and if so, whether the Board of Trade have reported upon those various communications to the Foreign Office; and if they have reported upon them, whether the Foreign Office has acted upon their reports. I think you could not have a stronger illustration of what I believe to be the result of the divided responsibility.

411. You used the word "responsibility" in a different sense from that in which I am using it; you say, here is a something which is not satisfactory, there are a great number of persons concerned, who is to blame; the sense in which I use the word "responsibility" is, that the

H. W. Ripley, Esq.

31 May 1864.

Foreign Minister is entirely responsible?—If so, let us have him to deal with.

412. Have you not him to deal with?—Yes; but he says, "I must, before I give an answer, ask the opinion of the Board of Trade."

413. If you went to him upon a legal question he might say, I must take the opinion of the law officers of the Crown, might he not?—Possibly he might, but it is a necessity in that case which it is not in this case.

414. Is not the responsibility of the Foreign Office pure now, simple and undivided, and if a mistake is made in any foreign negotiation of a commercial treaty, must not the Foreign Office, or rather the Government at large in fact, be held responsible?—Nominally that is so.

415. And really?—Really, I am afraid not.

416. *Chairman.*] I understand that what you mean by that, is this: you do not for a moment dispute that the Foreign Office is responsible, or that the Government as a whole is responsible, for the conduct of a foreign negotiation?—Certainly not.

417. What you mean by responsibility is, that one department has the special charge of one branch of the business, and another department of another?—Yes.

418. Do you not mean to say that you find it difficult to ascertain which department it is that has really the charge of conducting these negotiations; and, consequently, if there be a failure in the conducting of the negotiations, you do not know which department to direct your complaint against or to blame?—Yes, exactly.

419. Mr. *Pender.*] Would it not meet the wishes of the Bradford Chamber of Commerce if the consuls were to forward all their information to the Board of Trade, so that the Board of Trade might then glean from that information sufficient matter to put before the Foreign Secretary, and urge upon the Foreign Secretary to use his influence, or to send a dispatch which they might prepare to the foreign Governments, bringing their attention to any question; in that way you would make the Board of Trade responsible to the Chamber of Commerce, and the Foreign Office would be responsible to the Board of Trade for, at all events, endeavouring to carry out their suggestions?—Yes; I am afraid you would only put the complication in another shape; of course I have no objection to this information being received directly at the Board of Trade; but that seems to involve answers being conveyed directly from the Board of Trade to the consuls abroad. That, of course, if anything follows upon it, leads to negotiations and arrangements which would have to be transferred into the hands of others who know nothing about the matter, for them to complete the business.

420. Mr. *Milner Gibson.*] Why do you think that if certain gentlemen were put under the same roof as the Foreign Minister to advise him, there would be less divided responsibility than if those who were to advise him were in a room across the street?—I never said that that would be so.

421. Does not what you have stated amount to that?—No; what I said was, that as between a department of the Foreign Office, or of the Board of Trade, or a distinct department, I gave no opinion as to where the department should be. But my opinion was strong and decided, that there must be a department of the Government which should have absolute power to communicate with our consuls and agents abroad upon commercial matters, and to which I and all other commercial men should feel that we could come with perfect confidence.

422. You mean that there should be a sort of Commercial Foreign Office, in fact?—I leave it to the Executive to decide how it should be carried out.

Veneris, 3° die Junii, 1864.

MEMBERS PRESENT:

Mr. Bazley.	Mr. Milner Gibson.
Mr. Somerset Beaumont.	Mr. Henley.
Mr Butler-Johnstone.	Mr. Kinnaird.
Mr. Cobden.	Mr. Layard.
Sir Minto Farquhar.	Mr. Pender.
Mr. William Edward Forster.	Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

JACOB BEHRENS, Esq. called in; and Examined.

J. Behrens, Esq.

3 June 1864.

423. *Chairman.*] I BELIEVE you are a merchant at Bradford?—I am.

424. How long have you been so?—For 32 years.

425. You have a branch of your business at Manchester, have you not?—I have.

426. During that time you have been engaged in the continental trade at Bradford, I think?—Almost exclusively.

427. Your trade extends to almost all parts of the Continent, and also to most parts of the world to which Bradford goods are exported?—Yes, with a few exceptions.

428. You are now, I believe, Vice President of the Bradford Chamber of Commerce?—I am.

429. Since the formation of the Chamber of Commerce, have you not been actively engaged in all matters connected with foreign trade that have been brought before the Chamber?—I have.

430. Has not the course of your business led you especially to consider and to feel it your place to give information to the Chamber with regard to the tariffs levied upon Bradford goods in foreign countries?—I have done so from the establishment of the Chamber in 1852.

431. Will you tell the Committee the first occasion on which you thought it right to ask the Chamber to make representations to the Government with regard to foreign duties?—It was in 1853 that Mr. Akroyd, of Halifax, called our attention to the differential duties in Holland, which at that time acted very injuriously to Bradford interests, and to many others. We made representations to the Government, and in 1854 the differential duties were removed. We received a letter from the Foreign Office informing us of the fact.

432. Were they not removed almost immediately after you made the representation?—No; about a year after.

433. Had they not been in existence for some time?—Not long; I believe they were imposed in 1852; I am not quite certain about that, but I believe so.

434. Did this especially call your attention to the state of the Belgian tariff?—This was the first opportunity that I had of going into the matter; and then, in looking over the tariff, I found that the Belgian tariff was equally bad, and even worse than the Dutch.

435. In what position was your trade as regarded the duties levied in Belgium upon Bradford goods at that time?—I know what they were lately, and I believe they were the same then. I believe our goods paid 300 francs, with 20 per cent. in addition. Whether this charge of 20 per cent. was added afterwards, or was in existence then, I do not know. The French paid only 200 francs for the same goods.

436. Do you think that that was the position in which we were put in 1851 by the arrangement that was made between France and Belgium in that year?—No; for there was a treaty concluded in 1845 which already put us into that position, although our attention was never called to it until 1854.

437. What steps did you take in 1854?—We sent a memorial to the Board of Trade, I believe. I am not sure whether it was the Foreign Office or the Board of Trade.

438. Was not there what you considered a crisis in the commercial relation between this country and Belgium in 1856?—Yes.

439. What was that crisis?—I believe the Belgians had given notice to France that the privileges that they had given to them so far should cease in 1859, and that the whole tariff should be remodelled. Questions were then asked as to how it would affect our interests, and we prepared a very long and elaborate statement, showing how specific and how *ad valorem* duties would act.

440. Was that the time when the Bradford Chamber of Commerce said that they considered that the treaty between England and Belgium gave us the right to be treated as the most favoured nation?—We said so. It was not the first time we had thought so, but I believe it was the first time we gave expression to that feeling, which we did in a memorial to the Government, and a deputation to the Government.

441. Was the Bradford Chamber of Commerce informed that the Foreign Office took the same view of that clause in the treaty as they themselves took, namely, that we had a right to be treated as the most favoured nation?—We have no document to show that, but Mr. Wickham

J. Behrens, Esq.

3 June 1864.

and our secretary were the deputation to the Foreign Office, and laid our paper before the Foreign Office, and Mr. Hammond requested them to call again the next morning, because it was of so important a nature that he could not give an answer at once. The next morning the two gentlemen called again, and then they were told by Mr. Hammond that he had tried to pick a hole in the arguments (these were the words that he used), but could not do so, and that instructions should be given to Lord Howard de Walden accordingly.

442. You were not upon that deputation, I believe?—I was not.

443. You gained your information upon this matter from what was communicated to you?—From what Mr. Wickham and Mr. Darlington, our secretary, informed me.

444. When you speak of Mr. Wickham, you mean my colleague, the honourable member for Bradford, do you not?—Yes.

445. Did you, in consequence of having heard that from the Foreign Office, put yourselves in communication with the Board of Trade upon this matter?—No, for a day or two afterwards Mr. Wickham and myself went to Brussels. I do not know whether it was at the request or not, but, at all events, with the permission of Mr. Hammond. We called at the Embassy at Brussels, expecting to find Lord Howard de Walden there, who, we thought, would be glad to receive commercial information from us, after having got his instructions from the Foreign Office. We were met there by the secretary, who stated that his Lordship had got a letter from the Board of Trade, saying that the Board of Trade took a different view of the terms of the treaty of 1851, and therefore that our views could not be carried out, because they considered that we had no treaty right to be put upon the same footing as France.

446. Then you had reason to believe that the Board of Trade took one view upon this question, and the Foreign Office another?—I had, of course; if I am to take Mr. Hammond as the exponent of the Foreign Office, and the letter which the secretary referred to as the exponent of the Board of Trade.

447. Did you receive any communication from the Board of Trade supporting their view upon that treaty?—I do not remember. I did not refresh my memory upon these points, expecting that Mr. Ripley would have stated them fully.

448. After that time, I think from year to year, you continued pressing on our Government the claims of this country to be treated upon equal terms with France by Belgium?—A year never passed, I think, without our doing so.

449. Was there anything that happened in 1859, which made you feel that there was not a sufficient amount of information possessed by the Government upon this question?—Yes. We had addressed at that time a letter to the Foreign Office upon the same subject; and, in reply to that letter, which unfortunately we have not got, and which was addressed to Mr. Wickham, Lord Malmesbury stated that only a limited number of British productions were prejudiced by the injustice of the Belgian tariff, whereas it is the fact that almost all the great articles of export that come into competition with French manufactures had suffered alike. At the same time, he stated that he had been informed by the Board of Trade that they had ineffectually endeavoured to obtain information from Bradford. Now, it is a fact, that we had never ceased to pester them with representations, and deputations, and memorials.

450. Do you conceive it possible that the want of information upon the part of the Government, with reference to the ill effects of the preference given by Belgium to French goods over English goods, can have arisen from that information not having been furnished by the Bradford Chamber of Commerce?—No; it is impossible that it can have been so since 1854 at least.

451. Did not the Bradford Chamber of Commerce, on 3d November 1860, memorialize the Foreign Office upon the anticipated fresh treaty between France and Belgium, which might increase the preference given to French goods?—We did.

452. Is it not the case, that that letter was written very much at your instigation, and upon reasons which you had for believing that it would be so, grounded upon your knowledge as a continental merchant?—I either dictated it, or wrote it myself.

453. For how long was the increased preference, consequent upon the Franco-Belgian Treaty, existing as against British goods?—The actual time that elapsed between the coming into force of the one treaty and the other was just a twelvemonth, from the 1st of October in one year, to the 1st of October in the next year. But the time between the signing of the two treaties, when we were left in an undecided state, and fearing the worst consequences, was for fifteen months.

454. Is not it the case, that well-grounded fear of such a change in a tariff operates almost as disadvantageously as the actual change itself?—Of course it does; it must do so naturally.

455. What was the effect of that preference?—That while our duties were continued at 360 francs per hundred kilogrammes, which at the then rate of the then value of goods we calculated to be about 37½ to 38 per cent. upon the value of the goods, the French goods could be introduced at 15 per cent., making a difference of 22 per cent.; but upon some goods the difference was as much as 30 and 40 per cent.

456. Was not the effect of that immense bonus upon French goods such, that goods were sent into Belgium, *viâ* France?—I know of two such cases in which British goods were sent to France to pay the 15 per cent. duty in France, then to be re-exported again as French goods into Belgium, and to pay there another 15 per cent., and that was a saving as against sending them direct from this country under our duty.

457. Have you, from your information that you have obtained as a merchant, reason to believe that it would have been easier to have induced the Belgian Government to have put us in the same position as France, at the time when they were concluding their treaty with France, than it was found to be at the time when we did obtain the alteration of the tariff a year afterwards?—I believe we should, and for the very simple reason that we should then have had the assistance of all the manufacturers who exported to France.

458. You mean all the Belgian manufacturers, do you not?—Yes; because they were, as the law stood, prevented from sending goods to France at all, in consequence of Belgium not being put upon the same footing as England.

459. Was it the case, that before the late Franco-Belgian

Franco-Belgian Treaty there was a very heavy duty levied on Belgium imports into France?—No, they were mostly prohibited, with the exception of iron, linen, and some few other articles; but even upon those, the effect of the treaty was that the duties were reduced.

460. Then, was not it the case that there was a large interest in Belgium, which would necessarily be very much in favour of the Franco-Belgian Treaty?—I should suppose that those manufacturers who expected their trade to be increased, would be in favour of both, but principally of the French Treaty.

461. But, after the Franco-Belgian Treaty was concluded, they would then have to view the question solely as it regarded the trade with England?—They had then nothing to gain.

462. Supposing we had stated at the time that the Franco-Belgian Treaty was concluded, that we should think it most unfair if we were not put upon the same preference as France, and could have convinced the Belgian Government that, for political reasons, it would be desirable to place us in that position, we should have had supporting us those manufacturers who were anxious to have the treaty concluded with France, should we not?—Decidedly, it would have been their interest to do so.

463. If we had stated that, do you apprehend that there would have been reason to fear that the protectionist feeling in Belgium would have prevented any treaty being concluded at all, either with France or this country?—I know the feeling in Belgium pretty well from taking the Belgian papers, in order to see what the feeling of the country was. I always found that there was only a very small party who had any protectionist feeling at all in Belgium. It was only the manufacturers of Ghent, so far as I could trace.

464. Did you obtain then any facts as to the free-trade feeling in various important towns in Belgium?—There were several meetings held at Ghent, in which it was tried to rouse the labouring classes in that city in favour of protection, using the same arguments there which had been used here in former times, but not in a single instance did they succeed. Free-trade principles and free-trade measures were propounded there, and recommended by the workmen for adoption.

465. Were there any meetings at Antwerp?—There was a meeting, not of the working classes, but of the Chamber of Commerce at Antwerp, in 1861. There was a meeting, at Antwerp, on the 6th of May 1861, in which the Chamber of Commerce at Antwerp came to the resolution, that it would be for the interest of Belgium if all customs dues were abolished. That, however, might perhaps not be of quite so much force as the resolution of the Chamber of Commerce at Verviers, who are manufacturers, and they, previously to that resolution at Antwerp, passed a resolution on the 16th of April 1861, I believe by a large majority, not exactly to the same effect, but supporting the French Treaty, knowing that the English Treaty would follow from it.

466. I think you stated that you read the Belgian papers?—Yes.

467. Did you gather from those papers that the Government had publicly stated early in 1861 that they expected that the Franco-Belgian Treaty would be immediately followed by a similar treaty with England?—No, not early in 1861; but I believe that we got that information ourselves from the Foreign Office, by their circular.

468. Was not that information conveyed by the King's speech?—Yes; but it was on the 12th of November 1861, when the King acquainted the Chamber with the conclusion of the French Treaty with Belgium, which would be followed by that with England and with other countries.

469. From your knowledge, then, of the Belgian interests that were in favour of a reduction of the duties upon goods imported into Belgium generally, is it your opinion that if representations had been made in consequence of the warning given by the Bradford Chamber of Commerce in November 1860, it would have been found easier to have obtained an English Treaty with Belgium than it was subsequently?—That was the only time when any effect could have been produced, for then the particulars of the treaty were in negotiation, afterwards it was too late for any effort to be successful.

470. At that time, supposing that the Franco-Belgian Treaty had been made dependent upon a treaty with England at the same time, we should have had supporting us, should we not, to a great extent, the manufacturing interest of Belgium?—I should suppose so; because it would have been to their interest to do so. I can only judge from that.

471. With reference to Spain, is not the Spanish tariff a very high tariff indeed upon Bradford goods?—It is next to the Russian; the highest in the world.

472. Is it not, in addition to being very high, a most complicated tariff; so that it weighs heavily upon the exporter, not merely by the amount of the duty levied, but by the way in which it is levied?—It is a very vexatious one, and so vexatious that most houses who have tried to go into the Spanish trade have left it again of late years.

473. Is it not the case that goods are exposed to fine, if not confiscation, if there is more than a certain proportion of cotton mixed with the wool?—I heard of a case myself, in which a decimal fractional proportion more than the one third caused the goods not to be seized, but a heavy fine inflicted. If instead of 33⅓ per cent. of cotton, there be 33⅔ per cent. of cotton in the goods, they cannot be introduced under their proper rates of duty.

474. Is it not, therefore, your opinion that the mode in which the duties are levied in Spain shows that the Spanish Government must be, even from a revenue point of view, in ignorance of the way in which it comes into operation?—It interferes very much with their revenue.

475. Have there not been changes constantly made in the Spanish tariff in the last few years?—Yes; almost too quickly to follow.

476. Have there not been also intended changes constantly promulgated?—Yes; I have known a tariff promulgated in November, and in December already a new system brought before the Cortes.

477. Has the Bradford Chamber of Commerce been acquainted by the Government with those changes, and intended changes?—Yes; but when it was too late.

478. Was not a Bill brought into the Spanish Cortes, in the year 1863, to introduce a change in the tariff?—Yes; a Bill for the reconstruction of the tariff, in fact.

479. Did it not affect the Bradford goods?—Yes; very much so.

J. Behrens, Esq.

3 June 1864.

480. What was the date upon which that Bill was brought in?—The 6th of January 1863.

481. Were the Bradford Chamber of Commerce informed of this Bill by the Board of Trade?—Yes; on the 17th of March following.

482. Did you know of this Bill earlier than that?—Yes; I had known of it, and written to you about it on the 16th of January; I had seen it in the "Madrid Gazette."

483. Was the Bill introduced into the Cortes by the Spanish Government?—Yes.

484. Did you observe a decree in the "Moniteur," of February the 10th, with regard to this Bill?—No; I believe that applied to another Bill again, but there is a little confusion.

485. Were you informed of this other Bill by the Board of Trade?—My attention was called to a copy of the French "Moniteur," in which a decree, dated Madrid, 10th of February 1862, was contained, but no information was possessed of it here.

486. What do you mean by saying that no information was possessed of it here?—I know that to be the case, because I named the subject to you, and you wrote to me on the 21st of April of the same year, stating that that was the case.

487. Did you receive any information from the Government with regard to that decree?—None at all.

488. Was it a decree affecting Bradford goods?—Yes.

489. Was it a decree by the Spanish Government?—Yes; I can refer to it; it was copied in the French "Moniteur." I have it both in Spanish and in French.

490. What is the date of the "Moniteur" containing it?—I have not the date of the "Moniteur" here. The decree is this: "On the conclusion of the reports of the Direction Générale of Douanes and Tariffs, respecting the advantages which would arise from the modification of Article 713 of the tariff now in existence, it is ordered to divide the article in question into two articles, as follows: cloth of wool only to the value up to 60 reals inclusive, per kilogramme and cloth mixed with cotton, 21 reals per kilogramme; or in other than Spanish ships, 25.20 reals per kilogramme. Cloth of wool only of the value of from 61 to 80 reals inclusive, per kilogramme, 28 reals per kilogramme, or in foreign ships 33.60 per kilogramme." My note is, "a change for the worse on our goods;" that is the remark I made at the time.

491. Was the first information that you obtained of that decree affecting Bradford goods through the French "Moniteur?"—Yes; the only one, till I afterwards saw it in the "Madrid Gazette."

492. Did you, in consequence of finding from me that no information was possessed about it by the Government, request me to hand to the Government, the French "Annales de Commerce Extèrieur?"—Yes.

493. Did you hear from me that it was not necessary to hand that publication to the Government, as I was informed by the Foreign Office that they were aware of the necessity of obtaining this information?—Yes.

494. You are in the habit, I suppose, of reading the consular reports that come to the Chamber of Commerce?—I have always read them whenever I saw anything affecting our particular trade, and marked them, but not so much the consular reports, as those of the Secretaries of Embassies.

495. Is any report from Spain included in those reports which are sent to the Chamber?—There are some reports about a good many of the ports of Spain containing news of shipping, and ship regulations, but there is not a single one from a Secretary of Legation respecting the general trade of Spain.

496. There is no report, is there, from Madrid, of the same nature as from other parts of the Continent?—Not one.

497. Is there from Russia?—No; there was not a report from either of those two countries.

498. Do you not consider that in consequence of the very high rates of tariff in Russia and Spain, they are the two countries from which such reports would be, at least, as useful as from the others?—We know less of them, and therefore they would be most acceptable; of course, there is the greatest improvement to be made there.

499. Will you state distinctly what reports you are alluding to?—To the reports from the Secretaries of Embassies; we receive the consular reports too, but they are not of the same value, with one exception.

500. Do you consider that those reports will fulfil the want which you have expressed of the Government not obtaining, and not giving to the Chambers of Commerce, and to the persons interested, immediate information of changes, or intended changes in tariffs?—Not at all; they have only an historical value for us; they are useful in preparing memorials, and so on, as giving statistical facts, but when we receive them, they are one or two, or sometimes even three, years behind the time.

501. Have you reason to know how the French Government gives information to its subjects upon commercial matters?—Yes; I have received the "Annales de Commerce," which are published monthly.

502. I think you have a copy of that publication here, have you not?—Yes;—(*producing the same*).

503. Does that monthly publication include all changes in tariffs?—All changes in tariffs; all directions to shipping and to lighthouses; it goes even so far in one of those that I have looked at this morning, as to caution people against English swindlers, telling them also where they can apply to get information about bubble companies, and things of that sort; it is a most useful publication.

504. Do you consider that that gives an amount of information to the French merchant for the guidance of his trade beyond what is given by our Government to the English merchant?—Immeasurably; the only things we get here are those consular reports, long after the time, and here and there a report in the "Gazette," of a similar character, which nobody reads, because it is so much mixed up with other matters; and it cannot be used for reference because there is no index.

505. Is there an index to the "Annales de Commerce?"—There is an index published every year.

506. In preparing memorials with respect to our trade with foreign countries, putting France aside, have you found it easier to get information from this French publication than from any English publication?—Yes; on account of the index; if I wanted to write a history of English commercial legislation, I should not go to an English source, but I should go to this publication,

tion, because I could find in the index every document that I wanted to refer to; the series extends back as far as 1846.

507. Before leaving the question of Spain, has your attention ever been called to a differential duty at present existing in favour of Spanish shipping?—There is a differential duty existing of 20 per cent., but in one of those changes which were proposed to take place, the protection was proposed to be increased to 30 per cent.

508. How did you obtain that information?—It was official; not from private sources.

509. Were you informed of that by any Government authorities in England?—No.

510. When was the Bradford Chamber of Commerce informed of the negotiation between France and Italy?—On the 21st of February 1862.

511. When was the Franco-Italian Treaty signed?—The Franco-Italian Treaty was definitively signed on the 17th of January 1863.

512. Were you informed in February that the Foreign Office and the Board of Trade had not got the treaty?—Yes; I understood, on the 9th of February, that the Foreign Office had not given a copy of that treaty to the Board of Trade because they had not got it themselves.

513. Are you not aware that Mr. Mallet was instructed by the Foreign Office to go out to Turin?—I believe so.

514. Mr. *Butler-Johnstone.*] When were you informed that Mr. Mallet had gone out?—About the time of his going out; I believe on the day he went out; I was not officially informed; I heard of it.

515. On what date did he go out; I believe some time in June.

516. *Chairman.*] Have you, from your knowledge of the Italian trade, as a merchant exporting goods to Italy, reason to believe that Mr. Mallet went out too late for his mission to be of advantage?—He went out four months after the treaty between France and Italy had been signed, and therefore decidedly too late to do any good.

517. I will state to you the purport of a letter which we find by these papers which have been furnished to us, containing the correspondence between the Foreign Office and the Board of Trade with regard to the Italian Treaty. On the 18th of May 1863, instructions seem to have been sent from the Board of Trade to the Foreign Office, in which it was requested that a pressure should be made to obtain a revision of the Italian Treaty which had been just concluded with regard to iron, mixed fabrics, jute, and other goods; is it your opinion that those instructions, in order to have been of any avail, ought to have been issued before the treaty was concluded between France and Italy, in order that they might have been in time for the revision of the Italian tariff, which was necesaary for the conclusion of the French Treaty?—If they were intended to be of any such use, they should have been issued before the French tariff was signed, for the simple reason, that the manufacturers of Italy had been informed of the terms, and expected them to be the same: it was a kind of tacit bargain with the manufacturers.

518. Do you suppose, from your knowledge of the Italian trade, that it would have been more difficult for the Italian Government to have made any alterations in the tariff, which would have increased the trade between England and Italy after the revision of the tariff, necessary for the signing of the Franco-Italian Treaty, had been published to their manufacturers?—I think it was not possible afterwards; there was only one item that they reserved to themselves the right to reconsider, and that I am afraid, not in a free-trade light: that is cotton.

519. Have you not reason to believe that this information is correct, from information which you have obtained from a gentleman connected with your firm, Mr. Nordlinger, who was at Turin at the time, and had interviews with our Minister, and also the Italian Minister of Commerce?—I had it not only from him, but from some other persons who were equally well informed, that nothing could be done at the time; that Mr. Mallet came out much too late; and that his instructions were entirely at variance with the facts as he found them at Turin. Of course, you ill have the instructions before you; I do not know exactly what they were.

520. Are you aware that some months previously to Mr. Mallet going out the Italian Government sent over a gentleman to obtain information here with regard to the intended Commercial Treaty?—I believe it was a long time previously; it was about the same time, I believe, that he was sent over, that the negotiations with France were commenced, and that was a long time previous to Mr. Mallet's going out.

521. It was Signor Marliani, was not it, who was sent over by the Italian Government?—I forget the name, although I did hear it; I never saw the gentleman.

522. Would you have been glad, as a merchant engaged in the Italian trade, to have been put into communication with that gentleman?—I think it would have been the best thing that could have been done; we could have then persuaded him that it would have been in the interest of Italy to make vast, or, at any rate, some changes in the tariff.

523. Were you in Paris at the time of the negotiations with regard to the Supplemental Anglo-French Treaty?—I was there at the time when the details of the treaty, that is to say, the tariff relating to our goods, was discussed.

524. You took a very active part, did you not, as representing the interests of the Bradford Trade, in assisting Mr. Cobden in arranging the tariff?—I was chairman of what we called the French Treaty Committee of the Bradford trade, and for the worsted trade generally, and as such, I took a very active part in it. I think our exertions were not without advantage to the trade. I believe we could not have got such good conditions if it had not been for the active part which the Bradford Chamber of Commerce took in it.

525. Did you find that a treaty was obtained which was more likely to increase trade between France and England, from the fact that a person like yourself was present at Paris, able to meet every objection that was made by the French Government, or by the French manufacturers?—There were several other gentlemen who went with me, each conversant with a different branch of trade. I believe it is owing to that step which we took that Bradford has derived such benefits from the treaty while other Chambers of Commerce, who did not take such active measures, and left it more in the hands of the Government to take care of their interests, found that the terms were not so much in their favour, and they

J. Behrens, Esq.

3 June 1864.

they have done less trade than we have with France.

526. Was the result of your intercourse with France such as to convince you that there was great advantage in bringing English manufacturers into contact with the Government of any country that is revising its tariff?—Having operated so well in one country, of course it must operate in the same manner in regard to another.

527. Had you reason to believe, from what you learned at the time, and also from what you have learned since, that the French Government would have been glad to have had our co-operation at the time that they were making their arrangements with Italy with regard to the revision of the Italian tariff?—I can only say that if I had been the French Minister, I should have been glad to have had it, because it would make it easier: I do not know it as a fact from my own knowledge.

528. Are you aware that there was a gentleman from Belgium present at the time when the negotiations were going on in Paris with regard to the English Treaty?—I was informed of that fact whilst I was in Paris.

529. Are you of opinion that it would have been easier to have obtained reductions upon certain English exports from the Italian Government at the time when they were revising their tariff preparatory to their treaty with France, than it has proved to be since that tariff was published and made known to their manufacturers?—Decidedly; for the simple reason that it would only be following out a principle which had been once acknowledged.

530. You are in the Manchester trade as well as the Bradford Trade, are you not?—Yes.

531. As regards Bradford goods, you have not much reason to complain of the existing Italian tariff, I think?—No; we are satisfied.

532. With regard to the Manchester goods, are you satisfied?—We have great reason to be dissatisfied: the reason we are satisfied with regard to the Bradford goods is that we have an optional duty—we can either pay by weight or by value; but on the Manchester goods we have nothing but a specific duty by weight, which, under the present high price of cotton, does not operate badly, but as soon as cotton should come to the normal state of prices again, we should lose the entire trade to Italy in the low cottons, which was formerly great, under the *ad valorem* duty, to the Grand Duchy and the Duchies. We are put into a worse position by the kingdom of Italy than we were by the component parts of that kingdom.

533. Is it the case that the tariff which is now in force applies to all the territories under the King of Italy?—It does.

534. Before the kingdom of Italy was established, were there not different tariffs?—Yes; there was one worse and two or three better, and the Sardinian tariff, which is in force at present, was established for the whole kingdom.

535. Did you not think that we had a right to request our Government to state to the Italian Government that they thought it was unfair that they should increase the duties which had been levied previously in any part of Italy on British goods?—I thought it was very unfair that we should pay higher duties than we did formerly, because the Italian kingdom was established. Of course we received thankfully what has been given in Naples.

536. I think you stated that the tariff on the importation of Bradford goods into Russia is very high?—It is the highest in the world.

537. Does it not amount almost to a prohibition?—Not almost; it is only a very few articles that are exported to Russia for very rich people, and they do not care what price they pay for them.

538. Have you not reason to believe that we might have a very large trade with Russia if the duty were lowered?—Decidedly; we are making woollen goods, and Russia is a cold climate: of course we must expect them to wear warm clothing if they can get it.

539. Have there been any changes made in this tariff in 1863?—Yes, there have been a few changes; among others, in some articles, of woollen goods.

540. Have there been changes that have lowered the tariff upon Bradford goods to any extent?—Not upon the article which we call our leading Bradford article, our Orlean's and Lusters; that is the only one that is not altered, it remains at about 120 per cent. upon the value.

541. Do you, or do you not, consider that those changes have been of any importance as far as the Bradford trade is concerned?—None whatever; they have not increased the exports by a single piece.

542. Have you not reason to believe that those changes were not made in consequence of any pressure exercised by our Government?—I saw, in a German paper, I think it was the "Allgemeine Zeitung," that the Government of Russia intended to make some changes in the tariff, and that those changes had been communicated to the French ambassador before they were made.

543. With regard to Prussia and the Zollverein, did your Chamber take any step in July 1861, with regard to the anticipated treaty between France and the Zollverein?—Yes; we called the attention of the Government to the intention of Prussia to negotiate a treaty in France, and cautioned them not to make the same mistake as before, of coming too late.

544. You did that in July 1861?—Yes.

545. Did you hear from the Foreign Office and the Board of Trade that negotiations were pending?—We were informed upon one occasion that negotiations were commenced, and on another occasion that they were pending.

546. Will you read the letters which you received from the Foreign Office and from the Board of Trade?—This letter is from the Foreign Office; it is dated, "20th September 1861—Sir, I am directed by Lord Russell to acknowledge the receipt of the memorial which you forwarded to me from the Bradford Chamber of Commerce, expressing a wish of that body to be kept informed of the progress of the negotiations with Prussia, for a treaty between this country and the States of the Zollverein, and I am to state to you in reply, that Mr. Ward, who has been instructed to assist in these negotiations, has also been directed to communicate with the different Chambers of Commerce, as regards any alterations which are to be made in the tariff. I am, sir, your obedient humble servant, *A. H. Layard.*" Then from the Board of Trade we received, on the 12th December 1861, the following letter: "Office of Committee of Privy Council for Trade, Whitehall, 12th December 1861—Sir, I am directed by the Lords of the Committee of Privy Council for Trade, to request that you will state

state to the Chamber of Commerce of Bradford, that with reference to pending negotiations with the Prussian Government, having for the object the improvement of the commercial relations between this country and the States forming the Customs Union of Germany (Zollverein), they are desirous of receiving the opinion of the Chambers of Commerce of the United Kingdom upon the operation of the tariff of customs duties now in force in that Union, upon British trade. I am, therefore, to request that you will move the Chamber of Commerce of Bradford, to favour my Lords, at their early convenience, with any remarks which they may desire to make, both as to the influence of that tariff upon the branches of trade in which they are specially interested, and as to the nature of the alterations in it which are required to place them upon a satisfactory footing. I am to add that if the Chamber are of opinion that this information can be more readily and efficiently supplied by personal communication with members of their body, or others conversant with the trade of the district, my Lords will be happy to confer with any gentleman who may be deputed to represent their interests. I am, sir, your obedient servant, *Edgar A. Bowring.*"

547. In consequence of those letters, you did give the information that was asked for to the Board of Trade?—Yes, we sent a long memorial.

548. Having received these letters, and having answered them, are you not surprised to be now informed that Prussia declined to receive any representations from us whilst she was negotiating with France?—Yes, very much surprised, because it seems to contradict these two letters.

549. Are you aware that Mr. Mallet was sent out to Berlin?—Yes.

550. About what time do you suppose?—About March 1862.

551. Do you think it would have been of more service if he had gone out earlier?—Yes; when he got there it was too late, for all the articles of that treaty had been settled as early as the 29th of March 1862. They had been already reduced to writing.

552. Does the same remark that you made of the Italian Treaty apply in this case, namely, that you think that in order to have been of service, Mr. Mallet ought to have been there before the treaty was settled, in order to communicate with the Prussian Government before their revision of the tariff for the future was concluded?—Decidedly.

553. This treaty is not yet in operation, is it?—No.

554. When will it come into operation?—It may come into operation at any time that the members of the Zollverein give their adhesion to it; but as far as Prussia, and those who have already given their adhesion are concerned, I believe it must come into operation on the 1st of January 1866.

555. There has been a question whether the treaty has been ratified or not; is it not practically concluded, as far as Prussia is concerned?—It was concluded on the 29th of March 1862, and signed on the 2d of August of that year. It is not what I believe in diplomatic language is called "ratified;" still it has the same force.

556. It is so far concluded that it wants no further conclusion to come into operation for Prussia in 1866; the only doubt is, whether it should come into operation earlier than that, or what countries besides Prussia it should refer to, is not that the case?—I believe it to be binding on Prussia.

557. You understand, do you not, that it is expected that England shall be put in the same position as France, as soon as the Franco-Prussian Treaty is concluded?—I believe an assurance to that effect was given by Prussia, but after the experience that we have had in our Belgian negotiations, I would rather have it in black and white by a treaty.

558. Supposing we do come into the same position as France, it would not altogether meet the wishes of the British manufacturers, would it?—As far as Bradford is concerned, it would be an improvement, and a great one; but as far as Manchester is concerned, I believe it would be still a prohibition, or tantamount to it. This is another illustration, I believe, of the effects of the French Treaty. Bradford always comes in well, because we obtained good terms in Paris.

559. Any inconvenience which may be felt either in Manchester or elsewhere, in consequence of the new Prussian tariff which has been revised preparatory to the treaty which is to come into operation with France in 1866, will not be felt by the English manufacturers until that time, will it?—No; we shall suffer during the time by the uncertainty. When it was thought last year that the treaty would come into operation sooner, some Prussian merchants did not order goods, because they thought that the reduction in the tariff would take place sooner than they really had a right to expect.

560. Does that give you additional ground for thinking that our Government ought to press Prussia to state exactly the position in which British trade is to be placed when the new treaty comes into operation?—If we cannot get better, we should decidedly have the same terms with every nation with whom we are in amity, as the most favoured nation, and we have not got that with Prussia yet.

561. Have you any opinion to give with regard to the Austrian tariff?—It is very high and very complicated, and thereby prevents a good deal of trade being done with that country.

562. Did you memorialise the Foreign Office with regard to the Swedish tariff on November the 12th, 1863?—We did. I believe that was the date.

563. Did you receive any reply to that memorial during the month of November?—No.

564. Was a circular sent to your Chamber, together with other Chambers of Commerce, in the course of December?—Yes.

565. Was the purport of that memorial to warn the Government that you believed a treaty was in contemplation between France and Sweden, and to say that you wished that our Government should be in time there?—Yes.

566. Do you not fear that the negotiations between France and Sweden will be concluded in like manner as that between France and Prussia, and France and Italy?—To judge from past experience, I should say we shall receive a letter from the Board of Trade requesting us to give our opinion when it is too late to be of any use.

567. You have already stated that you considered that there has been delay upon the part of the Government, which has been disadvantageous to the trade; to what do you attribute this delay; do you attribute it to a want of information?—To a want of information, and, perhaps

J. Behrens, Esq.

3 June 1864.

perhaps, to the want of a proper appreciation of the value of the commercial interests, and also in a great measure to the double machinery to be set at work for doing one thing.

568. Did anything, involving a question of detail, happen in 1856, which induces you to come to that opinion?—Yes, a very strange case occurred in 1856, showing, in some way, a great want of information and knowledge of these things; for on the 4th of July 1856, a prophetic sort of notice appeared in the "Gazette," telling us that woollen goods would be admitted into France at 30 per cent. duty, to be modified later, after hearing the different Chambers of Commerce, into a specific duty.

569. Who gave you that notice?—It was in the English "Gazette." My first attention was called to it by several gentlemen calling upon me, knowing that I took a great interest in these matters, and saying that France was open. I believe one gentleman from Bradford went over to go into the trade there, in order to be the first. I had no hesitation in saying at once, that it was all a mistake; they would not take my word for it, but they asked me to get information. I telegraphed then to Mr. Salt, who was our president at that time, who, with our Member, the late Mr. Milligan, went to the Board of Trade and inquired, and was told "there cannot be a mistake; official men do not make mistakes." It was said to be a Despatch from Her Majesty's Minister at Paris. Such being the case, I still knew that it could not be correct; and six days afterwards a notice appeared in the "Gazette" stating that it was a mistake. But even that correction was wrongly stated, and in a manner which showed that they did not even know the difference between a Decree and a Bill before Parliament, for it stated in that notice in the "Gazette," that it was a draft Decree. It was not a draft Decree, but a Bill which the Emperor caused to be laid before the Chamber, and which, owing to the opposition it met with, was immediately withdrawn.

570. That was in 1856, was it not?—Yes; five years before the change really took place.

571. Do you not consider that more attention is paid abroad than in this country to commercial requirements; would you not gather that from the consular reports that are now sent in?—To compare the consular reports and the "Annales de Commerce," I think there is a very notable difference between the two; and I judge that the French consular service must be exceedingly good, from their excessive activity and the great deal of information acquired and shown by the French consul nearest to us, namely, the consul at Leeds, M. Boisselier, who takes notice of everything connected with the trade of his district.

572. Although there may have been an improvement in the attention given to commercial interests by the Government, you still do not think it is equal to that given by the French Government?—Judging by what I have stated it is not; there has been a marked improvement, particularly in the reports of the Secretaries of Embassies, and there is one consul (I would always specially mention him), the consul at Hamburg, Mr. Ward, whose reports are splendid.

573. Have you any remark to make with regard to the non-existence of an English consul at Paris?—I saw from the Parliamentary Reports that the first consequence of our treaty with France, when for the first time for many years at all events, we might have had occupation for a consul at Paris, in order to protect our commercial interests there, was that the consul was withdrawn from Paris. The office of consul was abolished in Paris, and I believe the archives and the business were transferred to the librarian of the Embassy.

574. Do you not consider that it is more important for the interests of trade that there should be a consul at Paris now, than it was before?—If ever it was important it is now; formerly we did no trade of any moment, now we do a large and extending trade there, and questions may arise at any moment.

575. Is not it the case that the very large trade carried on between Bradford and France is chiefly carried on between Bradford and Paris?—Nine-tenths of it.

576. Do you consider that a librarian is a person likely to be able to represent English commercial interests in Paris?—The office of consul being abolished, he has no consular duties to perform, I should suppose; none connected with trade, at least.

577. I think you have already stated to the Committee that you have had a good deal of intercourse as instigating, and as representing the Bradford Chamber of Commerce, with the Government upon commercial matters, with both the Foreign Office and the Board of Trade; do you consider there is any disadvantage in having to deal with two offices instead of one?—A very great disadvantage, for you must set two bodies in motion to perform a single act, which is always very difficult.

578. Did your experience with regard to the French Treaty lead you to see very great advantages from having only one office to deal with?—Our direct business was hardly with any office; it was with the negotiators direct, and that I think brought about the good results. We were brought into the most direct contact with the negotiators, who were, I suppose, the representatives of the Foreign Office in Paris, and could state to them our views, our wishes, and our wants, and they were given effect to immediately.

579. Do you suppose that it is necessary to convince two offices of the necessity of any Governmental action with regard to foreign commerce?—Judging by what I have heard lately, it must be, for the one will not act without the advice of the other; therefore, you have to convince the one and persuade the other.

580. You think, do you not, that that increases our difficulty in getting the Government to act?—It not only doubles it, but does a great deal more.

581. Does your commercial information lead you to believe that there is any increase in the feeling in favour of free trade on the continent?—I believe that there is a very strong feeling in favour of free trade.

582. Was that feeling exemplified in Belgium?—Very strongly.

583. Have you had any proof of that?—Yes. I believe I have stated already the circumstances of the two memorials, one from the Chamber of Commerce at Antwerp, and the other from that at Verviers; and also the behaviour of the working classes at Ghent. Besides that, I may point to the majority by which all the treaties passed in the Chamber, although the ultramontane party joined with the protectionists to defeat them.

584. Do

584. Do you not find that it is a disadvantage to the interests of our foreign trade, that our Chambers of Commerce and our manufacturers should find it necessary to make public representations to the Government with regard to changes of tariff?—I believe it is a decided disadvantage. We have only to choose between two evils—either to run the small risk of rousing the jealousies of foreign monopolists, or to get nothing done.

585. Have you found it necessary, in order to get the Government to act, to get other Chambers of Commerce to assist you?—Yes.

586. Has it been found impossible to get that assistance without making the fact, that there was that action on the part of Chambers of Commerce in England, public?—It is impossible to call 20 or 30 Chambers of Commerce together without making it perfectly public; but we only do that when we have exhausted every other means of pressure.

587. Did you not think it necessary to get that assisted action at the time of the Belgian Treaty?—We did; and we had, in addition to that, to request you to take Parliamentary action, which is, of course, quite public.

588. Did you have to take the same public steps at the time of the Prussian Treaty with France, and also at the time of the Italian Treaty?—I think that that was incidental: we made representations by the Associated Chambers; and it was thought desirable to do so, but it was not quite the same case.

589. Do you not consider it a disadvantage to take any public or Parliamentary action, in order to get the Government to do what you think is desirable to have done upon these matters?—If it could be done privately it would be a great deal better.

590. You have studied the question a good deal,—have you any suggestion to make with regard to a better machinery for protecting our commercial interests abroad by the Government?—That is a very difficult question; but as, of course, you expect me to answer it, I may say that we shall never be upon a right footing unless the person who advises has also the power to act.

591. By that, do you mean that whoever conducts the negotiation should have the information which is desirable for the conduct of such negotiation?—Decidedly.

592. And should be himself possessed of the knowledge?—Yes; or have a staff, at all events, that possesses it, or can work it out.

593. Have you reason to believe that political and commercial questions are involved together on the continent?—They cannot be well severed.

594. Do you not especially believe it to be the case, that in all the tariff arrangements between the Zollverein and Austria, political questions have almost as much importance as commercial interests?—Decidedly.

595. Do you not, therefore, think that it would be desirable that whoever conducts the political negotiations of England should have the same amount of information with regard to commerce as he has with regard to what is more generally called politics?—I believe that it would be a very great advantage, and even necessary, that he should have the commercial interests of England as much at heart as the political.

596. And should be himself informed upon them?—Yes.

597. Do you not think that if he has himself the information with regard to politics, and obtains from another office the information with regard to commerce, it is probable that commercial questions may be sacrificed to political questions?—If they have not the same importance in his office as the political questions, of course they will be set aside in favour of those political questions. *J. Behrens, Esq.* 3 June 1864.

598. I think, with regard to consular reports, you saw a report by the Swiss consul at Japan which you would consider would almost be a model for consular reports?—It is, in every respect; it was published at Berne, and we received it through the Board of Trade.

599. Will you hand it in?—I will (*producing the same*). I have compared it with the trade I do with Japan, and, with one misprint of a few inches, I have found it perfectly correct—it is quite a model.

600. Mr. *Henley.*] You stated, if I understood you rightly, that the treaty with Paris was not managed by any office, but that it was negotiated at Paris?—I did not say that with regard to the treaty; I said that the details of the tariff were arranged in that way.

601. Did you not state that you thought that a great advantage?—Very great.

602. That had not reference to whether one or two offices in England were concerned, but the point was simply that the details were arranged in Paris by the negotiators there, whether one or more?—The negotiator, I understand, was sent by one office, and had only to report to that office. We, at least, had only to do with one party, who represented one office, I believe.

603. Can you tell us whether the parties who were authorised to conduct the business in Paris were authorised by one office here, or what the machinery here was?—No.

604. You only know the result, namely, that certain parties were authorised to do the business in Paris, and that they did it, in your opinion, very well?—Yes.

605. You stated, as I understood, that you thought that there were great disadvantages in the commercial bodies having to apply to two offices?—Yes.

606. Will you state what disadvantage there has been during the period of years that you have referred to, from 1856 to the present time, giving a special instance of the disadvantage that you have found in so having to communicate?—There was one case, which I have mentioned, in 1856, when the Foreign Office was of one mind and the Board of Trade of another. What we complain of is not so much sins of commission as sins of omission, which we ascribe, rightly or wrongly, to the double action, or rather to there being two offices, instead of having one responsible for the whole.

607. If I understand you rightly, you say that you are not prepared to say whether that is a right or a wrong opinion?—We entertain that opinion, and therefore we believe it to be right.

608. Going from 1856 to the next year, was there anything in that year?—I do not know that I could bring any particular instance, but when a long intercourse teaches you that very little is done, and that no attention is paid by one or the other office, there must be some defect. And we think that if we had one responsible office to deal with, that would never occur.

609. Am I to understand that you have no

J. Behrens, Esq.

3 June 1864.

specific instances which you can mention, because the main part of your evidence has gone, as it appears to me, to complaints of malfeasance with regard to things done abroad, and has not touched at all upon any communication, or any want of communication between the two offices?—I am not in the secrets of the two offices. I cannot speak to that.

610. You told us that there had been delay, in your judgment, in some cases, and in your judgment, ignorance, or rather want of information, in others; but you are not prepared to state how that has arisen from the communication, or want of communication between the two offices?—I could not do so without knowing exactly what is the intercourse between the two offices, and their mode of transacting their business.

611. As far as I gathered from your statement, your communications have been principally with the Foreign Office?—With both offices.

612. I rather guessed that they had been more with the one than with the other?—I believe the preponderance has been more on the side of the Foreign Office than of the Board of Trade; but I am not prepared to say.

613. You said something about the disadvantage which anybody labours under in this country, in having to make communications to public offices, which I understood you to say were not attended to until there was that kind of pressure brought to bear, by means of communicating with other bodies, by which the communication got publicity?—I spoke rather with regard to the disadvantages of publicity altogether. If the communication could be kept very quiet, so as to alarm no sensibilities abroad, it would be better.

614. Then you are prepared, I suppose, to look upon it thus, that a communication, we will say, made from yourself, as an officer representing a considerable body, is to be acted upon without that publicity, by which the Government might ascertain its correctness?—The publicity does not add to the correctness of the information at all, as far as I can see.

615. No doubt there are special interests in this country as well as in others?—Yes.

616. Every interest naturally and properly looks after its own case?—Yes.

617. And puts it in the best way it can to the Government, is not that so?—Granted.

618. Therefore whether it might or might not agree with the general interest, it would not be the duty of the parties specially concerned so much as of the Government to look after that general interest; would it?—But when we find that after a while the Government do what we ask, but only do it too late, we must think that our representations were correct. We have never found that our views have not been carried out, but it has been done too late generally; that is what we complain of.

619. You think, therefore, that your information having been given, the Government were bound in the first instance, to take that as certain, and to take no time to ascertain the correctness of it, and that because it was ultimately found to be correct, therefore you were necessarily right at first, and that the Government ought to have acted immediately upon your view, is that so?—Our great complaint is that they have not that information, and that they ought to have had that information.

620. I gather from you that your opinion is that the Government, whatever office you apply it too, have been behind hand, and not sufficiently informed of the specialities of the various trades which in your department of trade you have known?—It was not specialities of trade that we gave information of, but specialities of information from abroad, which we think they ought to have had from their diplomatic agents abroad sooner than we.

621. It was information with regard to specialities of trade, was it not?—Yes, questions which affected the tariffs in general.

622. You think that our diplomatic agents and consuls abroad have not kept pace with those things because you got information sooner than they did?—Yes, it appears that they have not kept pace.

623. I am right in taking that as the substance of your view, am I not?—Yes.

624. I think you have stated strongly the opinion that you think that advice and action should be combined?—Yes.

625. Would it be more correct to say that knowledge and action should be combined?—If you wanted advice it can only proceed from a superior knowledge.

626. Is it not rather the case that knowledge comes from advice?—I think that the knowledge should precede the advice, but that is an abstract question.

627. You have strongly represented that the action on the part of the Government should be taken by the same party who gives the advice, if the party who takes action is to receive advice, that necessarily implies a second party to give that advice, does it not?—Unless that party possesses a sufficient staff to give him the advice in his own department.

628. Then the sole difference is, that you think that the advice should be given by some subordinate in the same department, who possesses the knowledge, and that it should not come from another department?—Yes.

629. That is the combination that you think would be desirable?—Yes, decidedly.

630. You think that that advice might be given more quickly and more readily if it was under the same roof, than if they had to go across the street to get it?—I do not know that a few yards would make so much difference, still it should be in the same office, and the person who gives it should expect promotion from the fulness of his information, and the goodness of his advice.

631. You spoke with reference to the necessity which you found of communicating with other bodies, especially with other Chambers of Commerce, in order to put pressure upon the Government, before you could get them to act?—I did.

632. Will you explain to the Committee what you mean by that?—With respect to the Belgian affair, in the first place, we were obliged to have a meeting of the 30 Chambers of Commerce convened in one place in order to give expression to the feeling of the whole commercial community upon the delays in giving us what we called our rights as regarded Belgium, and after that we had to ask our Member, the Honourable Chairman, to put a question in Parliament upon that subject. I apprehend that I am perfectly justified in calling that, exerting a pressure upon the Government.

633. Then the inference I suppose that you would wish to draw from that is this, that representations

sentations being made by parties who are competent to make them, to the Government, upon a particular point, do not, in your judgment, receive that attention from the Government that they ought to receive, until they are made in a more formidable manner by enlisting Members of Parliament or others on your side?—I believe it has been stated in evidence at the last meeting of the Committee, with full particulars as to dates, and so on, that they were neglected.

634. I have correctly understood you, have I not, in what I have just put to you?—Yes.

635. You stated that, in your judgment, you think that now all over the world, political and commercial, matters are very much mixed together?—Commerce is a part of politics, as I take it.

636. Did I rightly gather your opinion that you thought that in the management of the affairs here, when political matters and commercial matters conflicted, commercial matters were sometimes shoved on one side?—I am afraid that they are shoved on one side even when they do not conflict, sometimes they are neglected.

637. There is no mistake in what you said that, in your opinion, sufficient attention and sufficient importance are not given to commercial matters; that is to say, not as much as you think they deserve?—That is the gist of our complaint.

638. Mr. *Bazley.*] From your personal knowledge of the proceedings connected with the negotiation of the French Treaty, have you any reason to suppose that the ordinary routine efforts of the Foreign Office and the Board of Trade would have procured the supplemental treaty and tariff that we now possess?—I do not think that the Government alone, and unassisted, could have got anything like the advantages that we have got.

639. Do you suppose that it is requisite in other cases to call forth extraordinary efforts to obtain similar results from the Government of Europe generally?—Whether the same extraordinary efforts would be always necessary is a question of time and opportunity.

640. You would think it necessary that a new system of action should be established between the two offices?—I would do away with the action between the offices altogether; I would make one office responsible, and one office do the work.

641. Which office would you select?—If I had to give an answer, I should say that the only possible one is the Foreign Office.

642. Under existing circumstances, and with present regulations, you do not think that our foreign commercial relations will be greatly extended?—Trade is very elastic, and will thrive, notwithstanding difficulties; but of course it would be extended more if we had all our rights.

643. Is it not desirable with reference to commercial results to extend our commercial relations with the Governments of Europe?—I am sure it is.

644. In what manner would you suggest that we should obtain those extended relations?—By having our representatives abroad well informed of the interests of trade, we can bring our claims and our desires directly before foreign Governments.

645. Do you think that any effort would induce the Spanish Government to give us freer intercourse with the people of Spain?—There have been very many changes in the Spanish Government in the last few years, and I believe there have been one or two occasions when such an effort would have been of use. Even in Spain there is a free-trade party.

646. You think that united action between the two offices is indispensable, in order to spread increased information upon commercial subjects throughout Europe?—Both increased information and a better knowledge of our wants.

647. Sir *Minto Farquhar.*] With reference to the particular point which we have in view, namely, the relations of the two offices at present, and the communications passing from one office to the other, do you not think that when the Foreign Office sent a question to the Board of Trade, where they have all the arrangements for investigating closely all questions connected with commerce, it would have a closer investigation than when it was merely sent from one department of one officer to another department in the same office?—I think not; because I do not see anything inherent in the Board of Trade which gives them peculiar knowledge with respect to these commercial questions.

648. The Foreign Office being essentially a political office, do you not think it of importance that there should be another office to examine impartially, and without reference to politics, all questions of trade?—I apprehend that the President of the Board of Trade also holds a political office.

649. He is a Member of the Government, no doubt, but the Foreign Office have the especial conduct of all matters connected with the political relations between England and other countries, have they not?—Yes; and if they had the conduct of foreign commercial relations, their conduct of the political relation would not suffer, but might be improved by it.

650. In fact, you would prefer that both the commercial affairs and the political affairs should be conducted by one office?—All by one office.

651. Mr. *Charles Turner.*] I suppose you think that if the Foreign Office had the conduct immediately of the relations of the foreign trade of the country, it would have more importance in their eyes than it has at present?—Not only in their eyes, but also in those of all the subordinates, which is a great point.

652. At present your apprehension is, that the subordinates look upon a commercial matter as a thing which passes through the Foreign Office, but as being really not a matter which the Foreign Office has much to do with?—I believe that that state of things is rather improving at present; the men employed abroad are getting a higher appreciation of the interests of foreign commerce, and will get more still if they see that the Foreign Office makes it an inherent part of their business.

653. You think that if instead of the Foreign Office applying to the Board of Trade, and the Board of Trade being the Board which attends more particularly to the trade of the country, it was a department of the Foreign Office, the subordinates of the Foreign Office would conceive that they stood higher than they do at present in attending to the commercial relations of this country?—They would attach more importance to the commercial reports than they do at present.

654. At present, is it not the case that the consular agents and others are apt to think that anything they do with respect to the commercial relations of the country does not receive the same appreciation at the Foreign Office as matters connected with the political relations of the country?—Of course.

J. Behrens, Esq.

3 June 1864.

course, I can only state my opinion, but I believe that is the case.

655. Sir *Minto Farquhar.*] With reference to the communication with the ambassadors and consuls, considering that the Foreign Office conducts everything connected with matters abroad, whether they be political or commercial, and that the ambassadors and consuls receive communications only from the Minister of State, who happens to be the foreign Minister at the time, do you think that it would make any difference to them whether the investigation of commercial affairs in this country should be in the Foreign Office or in the Board of Trade?—It will add very much to the importance attached to them when the communications pass through the office from which they expect promotion.

656. I will put this case: the Foreign Office refers a question of trade to the Board of Trade; the Board of Trade investigates it, and returns its answer to the Foreign Office, and there again it is sifted, and any further questions answered that are required, but when any communication upon political or commercial questions is made to the ambassadors or consuls abroad, it comes decidedly from the Foreign Office; the Foreign Office gives its instructions, and lays its full stress upon the question whether it is of a political or commercial character; do you think that it would produce a greater effect upon the consul who had to carry it out if he knew that a question concerning trade had been examined into only by a subordinate in the Foreign Office, and had not gone through the sifting of the Board of Trade before?—If he finds that no value is attached to his reports he may make no report at all, or may make a very meagre report, as many do at present.

657. Do you think that the agents of the Foreign Office, the Ministers, and the consuls abroad, consider commercial questions merely as secondary questions?—Decidedly. I am not speaking of consular agents, but I am speaking of Ministers and ambassadors generally; they do so.

658. That being your impression, do you think that if these commercial matters were actually investigated in the Foreign Office, they would then give more importance and attention to them?—Decidedly.

659. Mr. *Somerset Beaumont.*] Do you think that the information sent from our consular agents and diplomatic agents abroad, is of use to the commercial bodies of this country?—No, not of immediate use.

660. Do you mean that the information itself hardly comes up to the mark, or that it is communicated too late to be of practical use?—It comes too late, except the notices communicated in the "Gazette" about the shipping, and so on; but there I complain of the mode of publication.

661. When you said that the information from our consular agents hardly kept pace with the real position of commercial questions abroad, you did not refer so much to the character of that information as to the lateness of the period at which it becomes known in this country?—I have referred more to the date of the publication of the reports, than to their character. These Blue Books are collected during the year, laid before Parliament, and then published; therefore, of course, you may guess that they are too late for any actual wants of the trade.

662. I am not sure that I understood what you stated with reference to the Zollverein Treaty and the position of the Austrian tariff: what is the character of the present Austrian tariff?—It is a very high one. When I speak of the tariff, I am speaking of it as affecting our trade in particular; I am not speaking of it in general. I have only devoted my attention to our branch of it.

663. You speak of the tariff with regard to England?—It is, I believe, one of the highest: the highest is the Russian; and then, I believe, we have the Spanish; then the Swedish; and then the Austrian. Russia stands the worst, then Spain, then Sweden, and then Austria.

664. You have been recently abroad, I believe: do you know of any communications that may have passed, either from the Board of Trade or the Foreign Office, to Austria, with the view of getting the tariff reduced?—I know nothing but what I have gathered from the public prints: I know nothing from authority.

665. Is the opposition in that country very strong to a reduction of the duties?—Not at all, I believe, if I am to gather from the reports of the different Chambers of Commerce.

666. You refer to the Chambers of Commerce in Austria?—Yes; but the question with England does not arise there yet; it is only a question between Austria and the Zollverein.

667. From whom does the principal opposition come to a more liberal tariff, from official quarters?—I believe the question between England and Austria does not arise, at present, at all; there is no opposition there: they must settle with the Zollverein first, or with some parts of it. They are trying very hard to form a customs union, either with the Zollverein as a whole, and do away with the 31st article of the Treaty of Prussia with France, or to form another customs union with parts of the Zollverein.

668. Mr. *Butler-Johnstone.*] Should we have been in a better or in a worse position if there had been no Franco-Italian commercial treaty with reference to English manufactures?—We should be neither better nor worse; I am speaking only of the articles that I am connected with; I cannot speak as to commerce in general.

669. Do the English goods ever pass through France to Italy since the treaty with France?—Only as a quicker mode of transit, for no other reason.

670. *Chairman.*] You mean that they have passed through in bond?—Yes, only in bond.

671. Mr. *Butler-Johnstone.*] By whom is the "Annales du Commerce Extérieur" prepared in France?—It is an official publication.

672. Is it prepared by the Minister of Commerce?—By the Minister of Commerce and Agriculture, as they call him.

673. Do you consider that there is any office in England which answers to that of the Minister of Commerce abroad?—No, the Board of Trade does not answer to it, as far as I know.

674. Do you suppose that the French Minister of Commerce communicates with the French consuls abroad directly, or through the medium of the French Foreign Office?—I cannot answer that question from my own knowledge.

675. Mr. *Layard.*] You stated, I think, that in your opinion if we had applied in good time, we should have had a treaty with Belgium at the same moment as the treaty between Belgium and France was concluded?—I stated that we should have had a better chance of having got it sooner.

676. That

676. That is merely your opinion?—Yes.

677. It is not founded upon any special information?—No.

678. You are not acquainted with any negotiations which may have been going on between this country and the Belgian Government, are you?—No more than that we were informed in several letters that we received, that there were promises that we should have the same treatment extended to us, and that no advantage should be given to France.

679. You are not aware of the objections which the Belgian Government made to conceding to us at once the same advantages that they had conceded to France?—I cannot fancy that there were any, because we were informed that they would extend all these advantages to us.

680. Did I rightly understand you to say, that in your opinion the Belgian Government did not wish to make any terms with us?—We were informed so by the Foreign Office.

681. In your opinion, did the Belgian Government demand no concessions from us in return for the advantages which we asked them to grant to us?—No, as far as I know: for the Scheldt dues were not named at first.

682. You consider, do you not, that it is entirely the fault of the British Government that we had not a treaty at once with Belgium?—I consider that it is the fault of the British Government that we had not the same advantages as France some 12 years before.

683. That is merely your opinion?—No, it is an opinion which I think I have proved to be shared by others, and even by the Foreign Office at one time.

684. That opinion is not founded upon any official information, is it?—Yes, it is upon the Treaty of 1851, that we had with Belgium.

685. You say that there were interests in Belgium in favour of an immediate treaty with England, in what quarters of Belgium were they?—Verviers, for instance.

686. At any other place?—Yes, at Antwerp.

687. Are you aware of the state of parties in the Belgian Chamber at the time?—Yes.

688. With regard to Spain, I think, you also stated that if pressure were brought to bear, we might have a treaty with that country?—I believe not.

689. You stated that a Bill was passed in Spain, and if I understood you rightly, you said that no information of that Bill, which affected British commerce was given here until it was too late?—I believe I stated that a Bill had been brought into the Parliament there, but not passed.

690. Then was there a decree, which was passed?—Yes.

691. Can the Spanish Government, without consulting the Cortes, by decree, effect any change in their tariffs?—As the decree appeared, I must suppose that they can.

692. Do you, of your own knowledge, know that by a decree any change was effected?—It was called a decree in official language.

693. By that decree was any change effected?—Yes, the goods we exported from Bradford were subdivided, and one part of them was put into another category, on which a higher duty was imposed.

694. Was that decree ever published in England?—I have never seen it.

695. It is your opinion that Mr. Mallet went out too late to Italy, is it not?—Decidedly.

J. Behrens, Esq.

3 June 1864.

696. Upon what is that opinion founded?—Upon the fact that he arrived there when all the terms of the tariff had been settled.

697. You believe that if he had gone out before he would have got good terms?—He would have had a better chance of getting them.

698. Upon what do you found that opinion?—First, upon the fact that Signor Marliani was sent here to get information, and therefore that showed that the Italian Government had an inclination to make a treaty with us: and, secondly, upon my belief, for which I have good reason, that the Italians not only wished to give us the most favoured nation clause nominally, but really in substance.

699. You do not know for what purpose Signor Marliani was sent to this country, do you?—Not officially.

700. You stated, did you not, that Signor Marliani was in communication with the British Government at the time when the treaty was in negotiation at Paris?—I did not intend to say so. I stated that there was a gentleman in London at the time.

701. Are you aware that whilst Signor Marliani was in this country, the French Treaty was being negotiated at Paris?—I do not know the date when he was here, therefore I cannot answer the question.

702. When was the Treaty between France and Italy concluded?—It was signed on the 17th of January 1863.

703. When was Signor Marliani in this country?—I do not know.

704. Did you not state that he was in this country in the summer of the year before last?—I do not know when he was here. By referring back I might find out. I only know what I heard stated the other day about Signor Marliani, and what I heard at the time.

705. Do you think that the Government would have been right in sacrificing all the commercial interests of this country merely for the sake of the peculiar interests of Bradford?—They were never asked to do so.

706. Will you answer my question; would the Government have been justified in sacrificing the commercial interests of this country for the sake of merely securing an advantage to the manufacturers of Bradford?—Decidedly not.

707. If the Italian Government, then, had said to us, "We will not concede to you a certain reduction in the tariff which affected the manufactures of Bradford, but we will give you the most favoured nation clause, which will give you the same advantages as we have given to France," would the British Government have been justified in declining to accept that most favoured nation clause because they could not get the reduction which would have been favourable to Bradford?—You suppose a case which never occurred.

708. Should we have been justified in declining that clause or not in the case which I put?—If we had been so foolish as to do what you suppose, you would not have been justified.

709. I ask distinctly whether the Government would have been justified in refusing the most favoured nation clause because we could not get from the Italian Government a reduction in favour of woollens?—No.

710. In fact you know nothing of what took

J. Behrens, Esq.

3 June 1864.

place privately in the negotiation between Her Majesty's Government and Italy, do you?—How should I know what goes on between the two Governments privately?

711. You do know nothing of the negotiations that were going on between the two Governments, then?—No, of course not.

712. The French Treaty was a useful treaty to this country, I believe?—Yes.

713. At the time when that treaty was carried through and signed were the relations between the Foreign Office and the Board of Trade different from what they are at the present moment?—I believe not.

714. Did either the Foreign Office or the Board of Trade throw any obstructions in the way of carrying through that treaty?—Of course I do not know the communications and the correspondence that passed between them, but I was told that there was some obstruction at that time.

715. That is merely hearsay, is it not?—Yes.

716. Did you hear at that time that obstructions were thrown in the way of the carrying through of that treaty either by the Board of Trade or by the Foreign Office?—I heard so.

717. From whom did you hear it; was it from general report?—Yes.

718. Still that treaty was carried through, and has been of great advantage to this country?—Yes, very great advantage.

719. The relations between the two offices were the same then as they are now, were they not?—I suppose so.

720. Have you any reason to believe that if another treaty of the same character as that between England and France, involving a great tariff change, was going to be negotiated with another country, the Board of Trade and the Foreign Office would be unwilling to allow the negotiations to be carried on as they then were?—I hope not.

721. You have no reason to believe that they would be unwilling, have you?—I hope they would not.

722. Therefore, you do not conceive that it would be on account of the relations between the Foreign Office and the Board of Trade, if a treaty like that with France should occur again, and should not be carried through?—No.

723. In speaking of Russia, you said that you had reason to believe that the French Ambassador had obtained some reductions in that tariff, did you not?—I stated that I had read, in a German newspaper, that the French Ambassador had been consulted.

724. Was all the information you received from the "Allgemeine Zeitung"?—Or the "Cölnische Zeitung."

725. You say, I think, that if Mr. Mallet had gone earlier, he might have arranged with the Prussian Government for a treaty with us?—I said that I thought he would have had a better chance.

726. Upon what do you found that opinion?—Because when he got there, although the treaty was not actually concluded, the terms were settled.

727. Do you know whether Mr. Ward had been sent there or not before then?—Yes.

728. You say that Mr. Ward is a very competent person?—Very. I believe he is one of the most competent persons you have on the continent.

729. You speak very highly of his report, do you not?—Yes.

730. He is intimately acquainted with Germany, and with the habits and language of the people, is he not?—I believe so; I do not know him personally.

731. On what ground do you say, that if Mr. Mallet had been sent there, instead of Mr. Ward, he would have got the treaty?—He would have had a better chance, because he had a more intimate knowledge, which he had acquired at Paris, of the interests of British commerce.

732. Therefore you think that if Mr. Mallet had been sent instead of Mr. Ward, he would have had a better chance?—Yes; but I believe that if both had been sent together, it would have been better still.

733. That is merely an opinion?—Yes.

734. You say that the treaty is concluded, do you not attach any importance to ratification?—The treaty is not only concluded, but signed.

735. Is it ratified?—It is not ratified, properly speaking, but it is binding.

736. Is a treaty binding until it is ratified?—I understand so, when it is signed by the contracting powers.

737. Is a treaty published as a legal binding document until it is ratified?—It is not published as a binding document, but it may be binding for all that.

738. You know nothing with regard to Austria, except from hearsay, I believe?—I know a great deal about Austria, besides what I derive from hearsay.

739. Do you think that we could now get a treaty with Austria?—I do not ask for treaties. We only want the most favoured nation clause, and that our influence should be brought to bear at the proper time, so as to influence, if possible, any change that might take place.

740. You want us to get the most favoured nation clause with Austria?—Yes.

741. Do you think that we could, at this moment, get the most favoured nation clause with Austria?—You should never make another treaty without it; it ought to have been obtained long since.

742. Do you think that we could at this moment, by any amount of pressure, get the most favoured nation clause with Austria?—No.

743. Do you know what the most favoured nation clause with Austria would infer?—Yes, perfectly.

744. What would it infer?—That no differential duties in favour of the Zollverein should be made.

745. Do you think that Austria would grant us that?—No: and I say that on that account you cannot get the clause now.

746. Do you know with regard to Sweden, what negotiations have passed between Her Majesty's Government and Sweden?—No.

747. I think you stated that public news about treaties of commerce, and any pressure brought to bear in Parliament, or by all the Chambers of Commerce, would be very disadvantageous to the commercial interests of this country?—It is a necessary evil, but still an evil.

748. I think you stated that questions in Parliament, and assemblies of the Chambers of Commerce, and such public demonstrations, would rather injure than improve our chances for carrying through treaties of commerce?—Yes.

749. Therefore the closer and the more secretly these negotiations are carried on the better?—Yes.

750. If

750. If that be the case, and if the Government had been carrying on negotiations, no information of which had transpired, do you think that the Government would have been doing its duty? —That is "if"——

751. Are you so far in the secrets of Government, that you know what they are, and what they are not doing?—Sometimes we know it.

752. Upon what ground can you state that you know that the Government are not carrying on negotiations with those Powers?—You stated in 1862 that negotiations were pending with Prussia, and on a late occasion you yourself stated that they were not.

753. According to your statement, the more secretly these negotiations are carried on the better?—If they are so secret that there are none at all, they do not do any good; I may say further, that those articles which you consider great secrets, are published in all the great newspapers all over Europe, and are never really secret; everybody knows them. On one occasion I wrote to the Board of Trade, I believe it was for information about the Prussian Treaty, and heard from them that they did not know how our goods were to be taxed. The day after that, I was enabled to refer to the paragraph in the treaty in which they were named. So that it was no secret.

754. At the same time you are of opinion that if the Government has succeeded in carrying on negotiations without a noise being made about them, the Government will have done its duty? —The success I do not consider great; they were obliged to take what they could get.

755. Supposing a country would not give you a treaty, what is the alternative; do you think we ought to go to war for that treaty?—No; but there is a long way between war and considering a country a friendly nation.

756. Supposing we go to a country and ask for a reduced tariff, and that country says, "We are prepared to grant a large reduction of the tariff if you make to us certain concessions, what are we to do if we have no concessions to make?"—I believe you have no right to go to any country and ask them to make a reduction of tariff; except in their own interests, you have no right to ask them to do it for your sake.

757. What have you a right to ask them to do?—To put you on as good a footing as your neighbours.

758. Your neighbours must get into that footing before you can ask to be put into the same, must they not?—You may ask to be put upon the present footing, whatever that footing may be.

759. There are no nations at the present moment upon a better footing amongst themselves, except, of course, the Zollverein, than England, and those nations we have been speaking of, are there?—At present I know of none.

760. Then there are no nations now to which we could go, and insist upon the most favoured nation clause, are there?—You could go to almost all.

761. Just now you stated that there were none, did you not?—There are none where the terms are different in the tariffs, but they may be so if the French and Prussian Treaty comes into operation; we have not the most favoured nation clause there.

762. If Prussia and the Zollverein make a treaty with France, we shall have a right to call upon them to give us the most favoured nation clause, shall we not?—Yes; I say we have always a right to ask for it, with or without a treaty of commerce.

763. I presume we must wait until those two countries have concluded the treaty before we ask for it, must we not?—I do not see how the one depends upon the other.

764. If there is no favoured nation clause, how should we ask for it?—It may occur any day, and then you would not be in a position to ask for it, as you say is the case with Austria now.

765. How can you ask for the most favoured nation clause, when that clause does not exist?—The most favoured nation clause is not a new thing.

766. You say that when France and the Zollverein conclude the treaty, England will be in a position to demand from Prussia and the Zollverein the same advantages that they have given to France?—I think you have now the same right to ask that.

767. How can we have the right now, when the treaty does not exist?—It does not refer to this treaty of ours, but it refers to a convention between the nations.

768. Just now you stated that there was no disadvantage at the present moment as regards England as against France, but that disadvantages would accrue when the treaty was concluded between the Zollverein and France?—It exists as between Austria and Prussia.

769. I specially put aside the Zollverein?—Prussia is as much a foreign country to Austria as England is.

770. You just now stated that as regards the international relations between the Zollverein and Austria, they were upon a peculiar footing, and that there was no chance of our getting the same advantages as Austria gives to the Zollverein, and as the Zollverein gives to Austria? —If you had the most favoured nation clause that could not be the case.

771. But we have not got the most favoured nation clause?—You ought to have had it.

772. Do you think that they would have given us the most favoured nation clause?—Many opportunities have arisen when we could have had it.

773. Do you think that Prussia would have given us the most favoured nation clause, which would have put us in the same position as regards Austria, as they themselves were, as regards Austria?—In 1862 they would have given it to you if you had asked for it.

774. Why do you say that?—Because they then gave it to France.

775. Do you mean to say that the relations of France as regards Prussia are the same as the relations of Austria as regards Prussia?—France has got by Article 31 the most favoured nation clause.

776. Is not there a special exception as regards the Zollverein?—Prussia only acted as the mandatory of the Zollverein, and if the other States come in, they have a right to have it; it only refers to Prussia now.

777. Is not there a special clause which puts Austria in an exceptional position as regards the Zollverein?—The treaty was concluded with Prussia.

778. Is not there an exceptional article which excludes the commercial relations between the Zollverein and Austria?—That expires at the end of 1865.

J. Behrens, Esq.

3 June 1864.

779. It does exist then?—It does exist, but it expires with 1865.

780. At the present moment then we have got no ground to go upon in asking Austria or Prussia to place us in the same position as a more favoured nation?—Decidedly you have; because at the end of 1865 you will have France in a better position.

781. I ask you as to the present moment?—You must not have to do it a year hence again.

782. In fact, there is nothing to ask for, according to your own showing, is there?—I mean to say we have a great deal to ask for; we have to ask that we shall be put in the same position as other nations.

783. You say a treaty has been concluded between Prussia and France?—Yes.

784. That treaty has not been ratified, and does not come into operation until the 1st of January 1866?—Yes.

785. You are aware, are you not, that a treaty not ratified is no treaty?—Yes.

786. Have we, in the meantime, any right to call upon Prussia to give us the same privilege which she has given to France until that treaty is concluded, that is to say, ratified, and really coming into operation?—Yes; decidedly.

787. Upon what grounds?—Because if you wait until it comes into operation, there may be another year lost, as there has been in the case of Belgium.

788. What I understand you now to say is, that what we have to do is not to ask at the present moment to have these concessions, but that we should have these advantages when they accrue to France?—Yes.

789. How do you know that we have not asked for that, and that we have not got a promise of it?—Because you stated the other day that you were in constant communication with Prussia, and that all the answer we got was, "We must settle with France first."

790. How do you know that they have not promised that when they have settled with France they would give us the favoured nation clause?—I believe it is a promise, but whether it is altogether binding I do not know. We had a promise in the case of Belgium too.

791. You have condemned the Foreign Office for having removed the consul from Paris; why have you done so?—Because I thought that just then the necessity for a consul at Paris arose, when our commercial relations were so far extended.

792. What has a consul at Paris to do?—Nothing, for there is none there now.

793. What did he do when there was one?—We had no commercial relations with France, therefore there was no necessity for a consul.

794. Had we no commercial relations whatever with France?—Very little; nothing of any consequence.

795. Surely the matters of business with regard to commerce can be carried on at the Embassy as well as by a consul; it is only a needless expense, having a consul, is it not?—It may be so if you have a man at the Embassy who will perform the duties; but a consul is generally considered as the representative of the commercial interests; and the ambassador discharges rather political duties.

796. What you have been deprecating in England you advocated at Paris, that is to say two Departments?—There are a great many things to be done by a consul, I suppose, which are not done by the ambassador; if the same things can be done at the Embassy it is all the better.

797. Did I rightly understand from you that it is your opinion that that part of the Board of Trade which relates to foreign commerce should be incorporated into the Foreign Office?—Yes.

798. Do you not think that it is infinitely more to the advantage of the public, and especially of the commercial bodies, that all the information regarding commerce should be concentrated into one Department?—Yes.

799. Do you think it desirable or possible that we should have virtually a double Board of Trade, one in connexion with the present Board of Trade, and another at the Foreign Office?—No, I do not know that the Board of Trade, as the Board of Trade, possesses any information with regard to foreign commerce which might not be possessed by one or two clerks in the Foreign Office.

800. Do you think that a clerk at the Foreign Office could obtain all the information respecting the commerce of the country, and of the world, which is possessed by the Board of Trade?—It would not be quite the same sort of information as the Board of Trade has. I think you should have at the Foreign Office a gentleman in the same position as regards commercial affairs as Mr. Hammond occupies for political affairs, to concentrate and to advise in his own person, and under his own superintendence upon the foreign commercial relations of the country which do not belong to the Board of Trade, as the persons through whom you have to act in foreign affairs belong of necessity to the Foreign Office.

801. The Foreign Office is an Office devoted entirely to diplomacy and politics, and therefore those who are in it have had a special education for these subjects, have they not?—We merchants believe that commerce is a very great and important part of politics.

802. Would you have more reliance upon the opinion of a clerk at the Foreign Office if he were asked a question upon the reduction of duty upon a particular article in the tariff, than upon the opinion of the Board of Trade?—The Board of Trade must also get their information from the same source.

803. You meant to say that we must go to a clerk also at the Board of Trade?—No; I mean to say that the Board of Trade could have no other means of obtaining the knowledge than the clerk has.

804. I presume that the question of the reduction of a foreign tariff is a question which would affect all the commercial interests of this country?—Yes. I do not think that the Board of Trade has any knowledge of it.

805. If there was a question arising upon a reduction of tariff, would not it be a question for the consideration of all the commercial bodies in this country?—Yes.

806. Do you think it advisable that the Foreign Office should be in communication with all the commercial bodies in this country upon matters of trade and commerce?—It is so already.

807. How so?—By your letters asking information upon matters of trade.

808. Has not the Foreign Office, in your opinion, gone rather beyond its province in doing all it possibly could to put itself in communication with the Chambers of Commerce?—I think, compelled

pelled by the necessity of the thing, it has made a step in the right direction.

809. The necessity of what thing?—Of getting the information as quickly and as efficiently as they can. You have made a step in the right direction. I hope to see it followed up.

810. Do you know any other Foreign Office in Europe in direct communication with commercial bodies besides our own?—No; I know nothing either for or against.

811. Is it the duty of the Government to call the attention of the merchants and manufacturers in this country to the articles in tariffs which may affect them, or is not it rather the duty of the merchants to call the attention of the Government to these matters?—I believe that the Government ought to disseminate as much information as they possibly can, and to get that information as well as they can.

812. Admitting that it is the duty of the Government to give all the information it can; having given that information, is it the duty of the Government to point out to you in what way that information affects the particular article of your manufacture?—No.

813. It is your duty to inform the Government of that, is it not?—Yes.

814. Therefore, all that the Government can do is to collect information and disseminate it among the commercial bodies in the country?—Yes.

815. Why do you say that this information is not collected and disseminated now?—I gave two instances with regard to Spain in which information was not given.

816. Are those all the instances which you have to complain of?—No; I complain of the tardiness of the information, and also of the mode of giving it. It is given in the Gazette.

817. How would you have it given?—In some publication similar to the Annales du Commerce.

818. That is simply a matter of form: you think that the Board of Trade or the Foreign Office ought to publish a volume constantly like the Annales du Commerce?—Yes.

819. When does that publication come out?—Every month.

820. Do not you think that, instead of waiting to publish these reports and other things at the end of the month, it is better to publish them in the Gazette every week?—Nobody sees them in the Gazette.

821. Whose fault is that?—They are mixed up with many thousands of other things; and there is another fault in it, namely, that you cannot refer to them; there is no index.

822. Do you not think that it would be the duty of the Chambers of Commerce to take in the Gazette and see what change there may be? Some are inserted, but not all; there is not all the information that we ought to have.

823. Do you not think that the Chambers of Commerce might take the simple trouble of subscribing to the Gazette, and ascertaining for themselves what change may have been made anywhere in Europe, and inserted in the Gazette?—It is not only the Chambers of Commerce, it is the individual merchants also who want the information.

824. What is the use of the Chambers of Commerce?—To be centres of commercial information.

825. Is not it a part of their duty to look at those Gazettes and communicate to their constituents any change which may have taken place or any new regulations there may be?—We do so as much as possible.

826. Are you aware that all our ministers and consuls have special orders to send home at once every notification with regard to shipping, trade, commerce, and tariffs, and anything which affects trade or navigation, which may appear in the countries to which they are accredited?—I know that in 1857 a circular was issued, but it was not obeyed; and only last year I believe you wrote another very stringent circular with the same object.

827. Why do you say that the former circular was not obeyed?—Because the necessity arose for writing another.

828. That is only your opinion, is it not?—No; it is the fact.

829. Mr. *Milner Gibson.*] You think, do you not, that we have no right to ask foreign countries to reduce their tariffs?—Yes.

830. We have a right to ask for the favoured nation clause, but we have no right to ask them for a reduction of their tariff?—We have no right to do so.

831. You wish it to be inferred, therefore, that we should confine ourselves to persuasion in reference to a reduction of tariffs; and induce them, by showing them that it was for their own interests, to reduce their tariffs?—Yes, decidedly.

832. From your knowledge of the continent, can you suggest any mode by which the diplomatic service can usefully promote the cause of the reduction of tariffs?—Yes; by imbruing the diplomatic body with the principles of free trade, and, in short, with Adam Smith's notions, that is to say, the principles of political economy.

833. Can you point out any mode in which they could be propagandists, as it were, of these principles?—By not neglecting any single opportunity of laying the results of free trade before foreign governments, and also whenever occasions arise at the time of treaties between foreign nations, or anticipated changes in the tariffs, pointing out to them the advantage that would accrue to themselves from an alteration of the tariff; the alteration might then be a really useful one, not like that in Russia, where the greatest article of our export was neglected.

834. You think, then, that the Diplomatic Body should feel it to be one of the most important of their duties, constantly to call the attention of foreign governments to the principles of free trade, and to the necessity of reducing their tariffs?—Yes, of course, at all proper times and seasons.

835. When France reduced her tariff at the time of the French Treaty with this country, she did not extend those reductions that she made to other nations, did she?—No.

836. Other nations became anxious to have the benefit of those reductions, did they not?—I do not know; I think it was France that made the first overtures generally.

837. Was not it a very advantageous position for France to occupy, to be able to say to a foreign country, "We will give you what we have given to England, if you will give us some reductions on your tariff?"—Yes: unfortunately France was so backward that she was in that position.

838. She had it in her power, as it were, to offer a bribe to those different countries to reduce their tariffs, had she not?—Yes.

839. What progress has France made, notwithstanding her having it in her power to offer that bribe

J. Behrons, Esq.

3 June 1864.

bribe in making treaties with foreign countries for reductions of their tariffs?—She has already made treaties with Belgium, with Italy, and with Prussia, and she is treating with Sweden and with Switzerland.

840. Would it not be more correct for you to say that France has only made two treaties, one with Italy and one with Belgium?—No; I include the Prussian treaty; it is made, and will come into operation in 1866.

841. That is to say, if it is ratified, and if the Zollverein is not broken up and reconstituted?—Parts of the Zollverein, Saxony, for instance, and several others, have already agreed.

842. Do you know what the basis of negotiation was between France and Italy, when they commenced negotiating the commercial treaty?—There was very little alteration made in the Italian tariff; the only difficulty that arose was with respect to minerals, the produce of the island of Elba.

843. Was not it the fact, that the Italian tariff was already more liberal than the reformed French tariff, and that, therefore, France could not call upon Italy to make further reductions in a great many articles?—It was not more liberal, particularly; not more liberal than it will be from the 1st of October next; thus France was in some measure in the same position as England is in; she had nothing to offer, but still she made the treaty.

844. Are you aware that one of the objects of the communication that was made to us, with a view to a treaty, was that we should reduce our duties on sugar, confectionary, wine, and other articles?—There were two things proposed; one was candied fruit, and the other Marsala wine; but I have it from very good authority, that they were so offended at the treatment which they received here, that they threatened to put differential duties upon English goods.

845. Mr. *Layard.*] Upon what authority do you make the statement that they were so badly treated?—They were offended; I will not say that they were badly treated.

846. Who was offended?—The Italian Government; there must be some cause for the offence.

847. Mr. *Milner Gibson.*] Is not France, in fact, from the peculiar position in which she is placed, from having so much to offer, a very good pioneer in the cause of tariff reduction and free trade on the continent?—She makes good treaties in both ways; where she had nothing to offer she has made a good treaty; and, in other cases, where she has much to offer, she always makes good treaties, so that she makes good treaties either way.

848. From the position in which she now is, not having extended her reductions to other countries, is she not a very good pioneer in the cause of tariff reduction?—Very.

849. In all probability, either by virtue of treaties existing, or by virtue of treaties that may be made, we shall get all that France gets from the different countries, shall we not?—I believe we should get more; we have nominally the same, but not substantially; nominally we get the same, but it is not practically so always; for example, France has very little interest in getting the duties reduced upon low cottons, and many other things in which we have a very great interest. Therefore, if we worked, from the first moment that these tariffs became matters of treaty, together with France, and through France, we should really get better terms, although nominally only the same, for France can have no interest in what does not affect her trade.

850. Do you think that the commercial body would be as well satisfied with having the Board of Trade, as it were, a foreign commercial branch, merged in the Foreign Office, as they are now with having it as an independent consulting and advising department?—Yes, we should like a consolidation of the office, in whatever way it is done, in order that the party who acts should also have the knowledge and power.

851. It has been the practice of late years to consider that an interest was better represented and looked after by having a department to itself, than by being a secondary part of some other great department?—In our own private concerns, which we may call the images of a great nation, we do not find it so.

852. Take the question of education in England. It used formerly to be managed by the Home Office; but Parliament and the country called out for a separate educational department, with a Minister to represent it in Parliament. Your proposal with regard to the Board of Trade and the Foreign Office is in the opposite direction; you merge the Board of Trade into the Foreign Office, and have no separate representation of commerce by a department; is not that the case?—So far as we heard it explained, it appears that the Board of Trade is only responsible for the advice given, and not for the actions. The Board of Trade is responsible for the advice given, but if that advice is not given, who then is responsible?

853. *Chairman.*] The Honourable Under Secretary of State for Foreign Affairs asked you whether you thought that it was advisable to sacrifice the general trade of the country in regard to the Italian treaty, to the demands of the Bradford trade. Was it not the case that no special demand was made for Bradford goods?—Just the contrary; we were asked whether we had anything to state about our desires in Bradford. We said that we were perfectly satisfied with the treaty.

854. The demand that was made, so far as you were concerned, was for the Lancashire trade and not for the Bradford trade, was it not?—Yes, I made it personally, not the Bradford Chamber of Commerce.

855. So far as regarded the demand that was made for Lancashire, for the cotton goods, instead of insisting upon that to the sacrifice of the treaty, and being put upon the same terms as France was, was it not the case that you agreed with me in believing that we had better take the treaty at once, and not further insist upon those demands?—Decidedly, although we are not put upon a better footing by the treaty.

856. Was not it your conviction that it was not wise for our Government to make further representations, or to insist upon those demands, but at once to take the treaty?—Yes.

857. Rather than risk the loss of the treaty?—Yes.

858. Do not you believe that it would have been easier to have obtained those terms if the attempt had been made while the Italian tariff was being revised?—That is my opinion.

859. Does not your belief rest upon this,—that if

if there was any person present at the time that the tariff was being revised, he might have pointed out to the Italian Government that alterations could be made which would increase the trade btween the two countries, without injuring, to any extent, any Italian interest?—Decidedly; it was only asking to be put on the same footing as that upon which we stood in the Duchies before.

860. Do not you think that we have a right to request that information should be given to us, as a friendly nation, by any friendly Government, at the time that it is revising its tariff?—Yes; and I do not think it would ever be denied.

861. Does not your cause of complaint against the present action of the Government very much arise from what you consider the want of that request being made in the cases of Belgium, Italy, and Prussia?—If it had been made, I believe it would have been granted; and therefore I suppose it has never been made.

862. You suspect that it never has been made?—Yes.

863. If it turns out that the result of this Committee is to prove that that requisition has been made with as much vigour as you have a right to expect, that cause of complaint will be removed, will it not?—Yes, decidedly.

864. If, also, the result of this Committee turns out to be to prove that the present relation between the two offices is the most effective that can be maintained, any cause of complaint against the organization of the two offices will be removed?—Yes. I should like to say this: we have not the slightest complaint to make against the men; in fact, we have always experienced the greatest amount of attention and courtesy from the gentlemen of both offices; but, we believe that if angels came down from Heaven they could not work it well through the twofold offices. The men are all we can wish for, but the principle cannot work.

865. Sir *Minto Farquhar.*] You complain that you think that your communications to the Foreign Office were not taken immediate notice of, and that they were not pressed upon our Ministers abroad: that is the substance of your complaint, is it not?—In some instances that was proved to be so; in Belgium, for instance.

866. Their having to confer with the Board of Trade, you think, is a great impediment in the way of quick action, do you not?—Yes.

867. You do not say that you think that the Foreign Office, when a representation is made to them, do not have communications with their own ministers, desiring them to communicate with the foreign Government to which they are accredited: you do not suppose that they do not do the best they can?—I believe they sometimes have been neglectful there.

868. Have you read the correspondence which has been laid before the Committee?—No.

869. If you had read those papers you would have observed that they have constant communications, and you would have observed that between them all the political points and feelings affecting commercial questions are especially brought forward?—The question is not whether they bring them forward, but the time when they are brought forward is of more importance than the matter itself.

870. Do you not think that you may have difficulties arising from the protectionist feeling in foreign countries?—I value those difficulties at very little.

871. Do you not think that they have a fear of being suddenly overwhelmed with British produce?—No; there may be a few manufacturers who raise that cry, but the protectionist feeling is much on the wane.

872. Do not you think that the circumstance of France having an equivalent to give, would induce foreign nations to give treaties for tariff reductions to her more readily than to another country, which has nothing to give?—Yes, as the Right Honourable President of the Board of Trade says, they are excellent pioneers.

873. May there not therefore be some difficulty in some cases in obtaining a most favoured nation clause, before you have convinced them of the advantages of it?—It ought to have been given long since.

Christian Allhusen, Esq., called in; and Examined.

874. *Chairman.*] I believe you are a merchant and a proprietor of a chemical manufactory on the banks of the Tyne, are you not?—Yes.

875. Have you been resident in Newcastle since 1825?—Yes, I have resided there since 1825.

876. Have you been at the head of an establishment which was extensively engaged in commerce with the leading European nations for more than 20 years?—Yes, I was at the head of a commercial firm such as you describe.

877. You have been, I believe, an active member of the Newcastle Chamber of Commerce?—Yes, I have been from the very beginning.

878. Have you been requested to present a memorial from the Chamber of Commerce to this Committee?—Yes, the Chamber of Commerce deputed me to appear before this Committee, and I was requested to present a memorial, which was delivered to the Board of Trade in February last.

879. Will you hand in the memorial?—Yes (*The same was handed in.*—Vide *Appendix*).

880. Sir *Minto Farquhar.*] Is it a memorial upon the subject before the Committee?—It is in furtherance of the objects of this Committee explaining the difficulties which we have experienced in our communications with the two Departments.

881. *Chairman.*] I believe that you have prepared a statement containing a summary of the evidence you are prepared to give on this subject?—I have.

882. Will you hand it in?—I will. (*The same was handed in.*

E. Akroyd, Esq.

3 June 1864.

EDWARD AKROYD, Esq., was called in; and Examined.

883. *Chairman.*] YOU are a large manufacturer in the worsted trade, near Halifax, are you not?—I am.

884. I believe you are almost the largest in the trade?—Yes; I am also President of the Halifax Chamber of Commerce.

885. Your attention has been directed, has it not, to the duties upon the goods you manufacture, for many years?—It has. I called the attention of the Bradford Chamber, before the formation of the Chamber at Halifax, to the differential duties in Holland; it was in consequence of that representation that Mr. Behrens, and other active members of the Bradford Chamber, called the attention of the Government to that point?—I may remark, that Halifax has no direct trade with Germany, with the exception, probably, of Holland; and, therefore, the Halifax Chamber has always allowed the Bradford Chamber to take the initiative upon all questions of foreign tariffs. But Halifax has a direct trade with China, and with South America, Peru, and so forth.

886. Is it the impression amongst the Halifax manufacturers, and do you share in it yourself, that it is desirable that there should be more immediate action upon the part of the Government with regard to carrying out the representations of the commercial interests in foreign commercial affairs?—That is the impression not only of the Halifax Chamber, but also, I may say, of all the Chambers of Commerce. I am not aware whether Mr. Ripley gave evidence upon that point; if he has not done so, there is a particular passage in the annual report of the Associated Chamber bearing upon this subject, which I should like to read: "No change can be made by any country in its tariff without affecting British interests, either beneficially or otherwise; and the Chambers of Commerce will no doubt continue to study tariffs, regulations, and treaties, for the purpose of informing Her Majesty's Government of the probable effects upon the trade of their special districts. The Association of Chambers of Commerce, and the Chambers individually constituting it, may claim credit for not having heretofore neglected this duty, but they have to complain, not of any want of courtesy or of attention, but of a great want of efficiency on the part of Government in making use of the information thus readily given, and of not making use of it in the proper time, and in the proper place. The Committee are anxious to direct the most serious attention of the association to the necessity for finding a remedy for this defect, the cause of which may be distinctly traced to the double machinery, and the divided responsibility of the Departments now intrusted with the duty of protecting England's commercial interests. The Board of Trade is too much occupied with the administrative duties connected with shipping, lighthouses, railways, and other important interests, to attend duly to the many questions constantly arising from the vast foreign commercial transactions of the country, and it has a valid excuse for this neglect in the fact that it possesses no power of efficient external action: the actual public business connected with foreign commerce must be conducted by the Foreign Office through the consuls and diplomatic agents abroad, whom it appoints and corresponds with. These agents have no direct connexion with the Board of Trade, which, nevertheless, is ostensibly responsible for the whole commercial interests of the country. A simultaneous and joint action between the two offices would be necessary for the due discharge of this important duty; but the business of the country suffers because such united action is incompatible with the present system. Thus it frequently happens that important questions to which the attention of the Foreign Office has been called are referred to the Board of Trade, or *vice versâ*. Sometimes both take action at the same time, the one being ignorant of the proceedings of the other; or, more frequently still, entire inactivity is the consequence of each Department expecting the other to take the initiative. The evils arising from this divided responsibility have become of such frequent occurrence, and of such magnitude, that your Committee trust that the meeting will not separate without deciding upon a line of action for obtaining the removal of this grievance. The Committee feel assured that a motion for a Committee, as proposed by the Bradford Chamber of Commerce, if supported by the united approval and influence of the other Chambers, could be carried in the House of Commons, and that evidence would be given before that Committee of sufficient weight to convince the House and the country of the necessity and expediency of at once making arrangements effectually to remedy the evil complained of." This was the report of the Association of the Chambers, which was passed by the whole body, and therefore it may be assumed to represent the opinion of the commercial classes of the country.

887. You give that as the impression at present existing upon the part of the commercial community?—Undoubtedly so; and it is confirmed by the experience of this Association. For instance: there was a deputation which waited upon Earl Russell at the Foreign Office, at which a resolution was presented by Mr. Beaumont, "That it is desirable to impress upon Her Majesty's Government the necessity of suggesting to the Austrian Government that a Commission of Inquiry, similar to the Commission appointed in the case of the French Treaty, should be appointed prior to the final adoption by the Austrian Government of the proposed new tariff with the Zollverein and Foreign Countries." Earl Russell, at the conclusion of the interview, promised that the subject should have due consideration, but intimated "that it was one more strictly belonging to the province of the Board of Trade." There was another deputation to the Board of Trade, partly upon the same subject, and a conversation ensued, in the course of which "Mr. Gibson assured the deputation that no delay should take place in bringing the various subjects discussed under the notice of Earl Russell." Therefore the result is that when a deputation goes to the Board of Trade the members are referred to the Foreign Office, and when they go to the Foreign Office they are referred to the Board of Trade. The impression upon the commercial community is that they are sent round from pillar to post, and that there is not a strictly responsible office. Not the slightest reflection is cast upon the officials in the one office or the other. The universal opinion entertained

tertained by the gentlemen who have waited upon either office is, that there has been very great courtesy and politeness on the part of the officials in those two departments. But it strikes me that the whole machinery is imperfect. I took the trouble the other day to revert to the formation of the present Board of Trade, which goes back to 1696; I found that in the original formation, which was in the reign of William 3, the Commissioners for Trade and Plantations at that time had the appointment of the British consuls; at least I found that statement in "Anderson's History of Commerce." Therefore, at a period when the exports of this country only amounted to 8,000,000 *l.*, you had a more perfect and responsible machinery than you have at the present day, when the exports verge upon 200,000,000 *l.* At page 214 of "Anderson's History of Commerce," it is stated, "British consuls appointed to reside in foreign parts for the benefit and protection of our commerce, receive their instructions from this Board, with whom they are obliged to hold constant correspondence." So, in point of fact, that which I am rather urging now, viz., that one body should have the administration of commercial affairs and the appointment of consuls abroad, formed part of the first constitution of the Board of Trade itself. Then again Anderson's History says, "Enquiries also came before this Board for regaining lost branches of trade, as well as to enlarge those we are possessed of, and to set new ones on foot." Now, if we look at the present functions of the Board of Trade, we find that they embrace a multiplicity of duties. The Railway Department alone has become a most important, indeed, an oppressive one. Admiral Fitzroy has to take charge of the weather, and to communicate signals throughout the country of coming storms; that is the Meteorological Department of the Board of Trade. Then the Statistical Department is a most important one; but so far as I can gather from reading the list of officials at the Board of Trade, only one person is specially responsible for commerce, and that is Mr. Mallet. I think if we revert to the first principle that governed the formation of the Board of Trade, we shall revert to a very sound principle; that is to say, that power and responsibility go together. My own view is simply this, that we might, in connexion with the Foreign Office, have in this country a Minister of Commerce as there is in France, who shall be a responsible Minister in the House of Commons, and whose office might relieve the Board of Trade of certain functions, and the Board of Trade might simply supervise internal trade and navigation, and discharge a variety of relevant duties; there would remain abundant work of that kind for one office. The commerce of this country has become so vast and enormous, having exceeded the most sanguine expectations of the mercantile community, that it is almost overwhelming, and it is unfair to the Board of Trade to trouble them with the charge of the vast and growing commercial interests of the country. At present, no doubt, the initiative impulse in commercial legislation or negotiation too often comes from the merchants and manufacturers who have to make representations to the Government, and wait for official action; but if you had in the House of Commons a responsible Minister at the head of a Department or Special Board taking cognizance of the external commerce of the country, leaving the Board of Trade to deal with the internal trade and its regulations, I think you would have a much more efficient machinery than you have at the present moment.

888. Sir *Minto Farquhar.*] You stated that you thought that it would be a good thing to have a Minister of Commerce; what would be the communication between the Minister of Commerce and the Foreign Office?—They might be both in the same office. The Foreign Office would conduct all the diplomatic negotiations of the country, and the Minister of Commerce might conduct commercial negotiations and correspondence, having the appointment and surveillance of foreign consuls abroad. He would also be the responsible person to receive deputations from Chambers of Commerce and the commercial classes, and to hold with them official communication.

889. Did I rightly understand you to say that you would have the two Ministers in one office; they must be distinct offices surely?—Distinct offices certainly, but in the same building.

890. I gather that your proposal is, that all communications to Ministers abroad, upon commercial subjects, should emanate from the Minister of Commerce, whilst all communications relating to political subjects, should emanate from the Foreign Office?—Yes, that is my opinion; we know that the Foreign Office is, just now, overwhelmed with a variety of the most important and vast questions, which may affect the peace or war of this country, and naturally all commercial matters must, during that pressure, become quite secondary. The attention of the Foreign Office must be absorbed by all its correspondence upon those more immediately pressing matters.

891. Would you continue the office of President of the Board of Trade, at the same time confining its functions entirely to the inland trade?—That is my idea. So great has been the increase of duty, responsibility, and work thrown upon the Board of Trade, that there is quite sufficient responsibility, and there is quite a sufficient amount of work for it to discharge, connected with the internal trade and navigation, and maritime affairs, managed by its present departments, I mean those which deal with railways, the coasting trade, and lighthouses, and so forth.

892. Do not you think that there would be some inconvenience in two offices corresponding with the same agents abroad; the Foreign Office sending certain instructions upon diplomatic subjects, and the Minister of Commerce sending instructions upon foreign commerce?—I think that you should refer all correspondence upon foreign commerce with or from consuls resident abroad, to the Minister of Commerce, and all communications about political questions affecting peace or war, would pass through the Foreign Office. Of course cases might occur in the negotiation of treaties of commerce where those two offices must work together; but the office responsible to the country upon commercial matters, and that upon which deputations must wait, must be the office of the Minister of Commerce. A good deal of attention has been called to the power which France has to negotiate the treaties of commerce, compared with the diminished power we have in consequence of our having nothing to offer, as it were, in return. I may say with regard to that remark, that I think, as a general rule, our policy under the most favoured nation clause, should be to await the negotiation of treaties of commerce with France and continental powers, and then to step in

E. Akroyd, Esq.

3 June 1864.

and reap the advantage of any new treaty. But there is this essential difference in the manufacturing interests of the two countries, that whereas in France you have, to a great extent, silk goods manufactured of a lighter and more expensive fabric, and therefore for France a specific duty by weight is an immense advantage; on the other hand, in England, our class of manufactured goods is heavier, and, therefore, an *ad valorem* duty answers our purpose better. It might be asked, how could you bring this to bear upon Foreign Governments? My answer would be, "I think it might be proved clearly, that the revenue of a country is in reality increased much more by a moderate duty upon articles of large consumption, than by a higher duty upon articles of limited consumption. And inasmuch as revenue is a question which weighs with every foreign Government, if you could prove, as we might by past experience, that a moderate duty would bring in a larger revenue, I think representations of that character would have due weight with foreign Governments, and would probably produce some effect.

893. Mr. *Layard.*] You stated that you were referred from one office to the other, and then back again. Do you not think that what was meant by Earl Russell's reply was this,—that although he was very happy to see you, yet the proper communication between the Chambers of Commerce and the Government was through the Board of Trade, and that, therefore, although he received you, your proper channel of communication was the Board of Trade?—The words of Earl Russell were, that "it more strictly belonged to the province of the Board of Trade." We had been under the impression that it belonged to the Foreign Office; but, judging by the words of Earl Russell, he seems to say, "this is not my department," as it were, "it belongs to the province of the Board of Trade," and refers us back to the Board of Trade.

894. Did it not belong to the province of the Board of Trade?—I am only giving the words of Earl Russell. We want to know which is the responsible office.

895. You went to the President of the Board of Trade after Earl Russell had given you that answer, did you not?—The deputation, I believe, went first to the Board of Trade.

896. The Right Honourable President of the Board of Trade received the information which you gave him, and said that he would transmit it to the Foreign Office, did he not?—Yes; I think that I have already quoted the words.

897. What are the words?—"Mr. Gibson reiterated his assertion that no delay should take place in bringing the various subjects discussed under the notice of Earl Russell."

898. What that means is this, is it not, that in matters of commerce you put yourselves in communication with the Board of Trade, and you submit to the Board of Trade your opinions of your grievances, and then the Board of Trade acting upon that information instructs the Foreign Office what to do?—That construction may be put upon it. Of course the inference drawn by the deputation at the time was that we were sent round from pillar to post.

899. I completely differ from you as to the inference; it is a matter of opinion, is it not?—No doubt it is. I have given you the answers from both departments.

900. Do you know whether in foreign countries matters of commerce are not communicated to the Minister of Foreign Affairs through the Minister of Commerce, if you went to Paris, for instance, with whom should you communicate upon a commercial question?—With the Minister of Commerce.

Martis, 7° die Junii, 1864.

MEMBERS PRESENT:

Mr. Bazley.
Mr. Somerset Beaumont.
Mr. Butler-Johnstone.
Mr. Cobden.
Sir Minto Farquhar.
Mr. FitzGerald.
Mr. William Edward Forster.
Mr. Milner Gibson.
Mr. Henley.
Mr. Kinnaird.
Mr. Layard.
Sir Stafford Northcote.
Mr. Pender.
Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., in the Chair.

HENRY ASHWORTH, Esq., called in; and Examined.

H. Ashworth, Esq. 7 June 1864.

901. *Chairman.*] You are extensively engaged in the Cotton Trade, as a Spinner and Manufacturer, I believe, and have been so for many years?—Yes.

902. Your works are near Bolton, are they not?—They are at Turton, near Bolton.

903. Have you a house at Manchester?—Yes.

904. You are President of the Manchester Chamber of Commerce, I believe?—Yes.

905. That Chamber of Commerce, although it is called the Manchester Chamber of Commerce, is the Chamber of Commerce of the whole of the English cotton district, is it not?—Yes; it may be said to represent the entire cotton-manufacturing community of Cheshire and Lancashire. The members are those who are largely engaged in the manufacture of cotton in all the towns and principal seats of manufacture throughout these two counties. I do not know that any other institution exists with the title of a Chamber of Commerce in that district, besides the one that I represent.

906. The members of the Council are by no means confined to Manchester merchants, or to those who have their residence in Manchester; but the Council is composed of gentlemen from all the cotton districts, is it not?—The subscribers are from all the districts. The directors, who are 24 in number, are selected from those who are deemed the most intelligent, and the most largely engaged in manufacture, or those who are most capable of serving the interests of commerce.

907. You have prepared, have you not, a few figures with regard to the extent of the Cotton Trade; and although the Committee knows generally the extent of that trade, it may be an advantage to have it laid shortly and clearly before them?—I have prepared some memoranda. The extent of the cotton manufacture may be estimated by the fact, that after having supplied the wants of the population of Great Britain, and provided them with all they require for their own use, our exports of the surplus manufacture of cotton goods, taken in the year 1860, which was the last year prior to the disturbance by the American war, show a result something like this: the entire British exports, including manufactures, minerals, and every other article, amounted to 135,000,000*l.* in that year, and the amount of our exports of cotton was 56,000,000*l.* I may mention, by way of comparison in estimating the importance of cotton as compared with other trades, that the linens amounted to 6,100,000*l.*, the woollens to 16,000,000*l.*, and silks to 2,400,000*l.*; and making an allowance for cotton manufacture having entered into the articles called haberdasbery, and so on, taking that at 2,000,000*l.* more, it would give a result of 27,000,000*l.* for all the other textile manufactures put together, as against 56,000,000*l.* for cotton alone.

908. Seeing that the cotton trade is so enormous in extent, and the cotton manufacture so indispensable, I suppose it is the case that your Chamber of Commerce has felt it particularly its duty to watch for all possible means of increasing the opportunities of export for that trade?—It has been deemed an enormous responsibility for gentlemen to undertake the charge of conducting the affairs that concern a manufacture of that magnitude, and, as far as possible, of providing against the interruptions that occur in distant parts of the world to which this enormous amount of export is being carried on.

909. In endeavouring to fulfil that part of your duty, by pressing the Government to do everything in their power to increase our trade with foreign countries, have you had your attention directed to the large number of Consuls and Ministers abroad, and the sums paid by this country for their support?—Yes; we have had our attention turned not only to the magnitude of the trade itself, but also to the magnitude of the diplomatic appointments in existence, with the object of facilitating, as far as possible, the outlet of our manufactures in various parts of the world. Roundly speaking, we have about 400 Imperial appointments abroad, besides those who hold the higher diplomatic appointments. The Consuls and others, who hold those Imperial appointments, receive in salaries about 200,000*l.* a year in round numbers. With so large a staff engaged in commercial matters, requiring so large an expenditure as 200,000*l.*, we, being as we are engaged in a trade of the magnitude of the cotton

H. Ashworth, Esq.

7 June 1864.

trade, have good reason, as we believe, to look for value received, and to see that we get all the attention that is owing to us as well as to others out of that large payment.

910. Have you any intercourse direct, as a Chamber of Commerce, with any of the consuls?—No. As I understand, we are precluded from intercourse with persons holding consular appointments abroad; our intercourse is allowable with the Board of Trade and with the Foreign Office, but beyond that we do not know that we have any claim to extend our intercourse.

911. Has what you consider (I will not say whether it is a well-founded consideration or not) to be the small result from the large sum that is spent upon the Consular and Ambassadorial Service, as compared with the demands of our trade, induced you to suppose that there must be any want of good management in the machinery of the Government for looking after the interests of foreign trade?—Yes; suppose we for a moment direct our attention to Europe, and to European countries (the countries which are most advanced in civilization, the nearest to us in point of distance, and the best prepared to remit payment for what they purchase), we have been accustomed to think that we ought to have a larger amount of intercourse with those European countries than we now have.

912. Can you tell the number of communications that you have had with the offices (first of all, with the Foreign Office), during the last few years, on commercial matters?—I will state what communications we have had with the Foreign Office for eight years; I select the eight years as being the period during which the present secretary has discharged his duties as secretary to the Chamber of Commerce. If I were to go back to what happened in the time of a secretary who is not now living, I should have more difficulty in speaking to the intercourse; but that secretary used to say that it was of no use to make any representations to the two offices, and when they applied for information he used to say to the directors, "If it will please you I will get it up for them, but it will do no good if I do send it." That man is not now living; the eight years I have selected are eight years for which we have the secretary and others living who can confirm everything which I state. When the American war broke out, and we saw very clearly that the cotton manufacture was going to be grievously harassed for want of the raw material, communications were made to the Foreign Office, to induce Lord John Russell to write out to the various consuls abroad to ascertain whether or not it was possible to obtain large supplies of cotton from places which had been previously unaccustomed to grow cotton, and what were the hopes and expectations which we might rely upon as to getting cotton from places over which we had some control. In the eight years we received 19 communications nine of those communications had relation to the replies received from abroad, detailing statements relating to cotton; three of the communications, we had were on matters relating to the foreign tariffs; one was respecting the Philippine Islands, one on the state of affairs in Mexico, one on the trade of Hamburg for 1861; one was on the trade of France for six months of 1862, one was relative to the appointment of a consul at Rabba; one was forwarding printed Parliamentary Reports, and one was with respect to the case of Mr. J. M. Young, of Costa Rica, a merchant in Manchester, who conceived himself grievously harassed by the misconduct or mismanagement of the official holding the appointment at that place.

913. Only three of those communications affected foreign tariffs?—Yes.

914. Mr. *Layard.*] Were those communications from the Foreign Office?—Yes.

915. *Chairman.*] Were those three letters in reply to communications from the Chamber of Commeree?—Yes. On the 7th of August 1861 the Chamber applied for a Special Commissioner to be appointed for the negotiations at Berlin, and on the 14th of August the Foreign Office replied, stating that Mr. Ward would be appointed. The next communication was on the 17th of March 1863, when the Foreign Office sent a copy of the Franco-Italian Treaty, and applied to the Chamber of Commerce for information to aid them in concluding a similar treaty between this country and Italy. The last was dated 19th February 1862; on that occasion the Foreign Office wrote to inform the Chamber that they had received from the Board of Trade a copy of our letter to the Board of Trade, on the affair of the Zollverein.

916. With regard to the letter about the Italian Treaty, had your Chamber ever been informed that the Italian Government had sent over a gentleman to obtain information with reference to the treaty?—We had received information to that effect from other sources.

917. From either of the Government Departments?—Not that I am aware of; I think we had, at some late period, a communication from the Board of Trade relating to it.

918. Did you in the course of the year 1862 hear from either of the Departments that such a gentleman was in England?—I am not sure; we heard from other quarters.

919. Was your Chamber ever in communication with him?—No; we had no communication with him that I am aware of.

920. With regard to the Board of Trade, during the eight years you spoke of had you much communication with them upon commercial matters?—We received 16 letters or documents during the same period, exclusive of printed circulars, which were sent from time to time. Those circulars were principally drafts or extracts from published reports in the "Gazette;" they were formal statements.

921. Then it appears that your communication with those two offices was to a very slight extent during this time?—Yes; two of those communications from the Board of Trade were on the cotton cultivation, of the same nature as those I have spoken of previously; one was on silk, which has not much to do with cotton; one was on tobacco in Algeria, four were on the trade of Japan; seven letters were on matters connected with foreign tariffs, and one was on the bonding system of California.

922. Do you include in those communications correspondence with regard to the French Treaty?—We had nothing to do with the French Treaty through the Foreign Office. I do not know that we had ever any communication with the Foreign Office about it; our communications were principally with Mr. Cobden and the authorities at Paris.

923. I think you said that you had some communication

munication with the Foreign Office with regard to the Philippine Islands; have you any remark to make with respect to that?—We had such communication. On the 17th March 1858, the Chamber of Commerce applied to the Board of Trade for copies of consular despatches relating to the Philippine Islands; on the 19th, two days afterwards, the Board of Trade referred the Chamber of Commerce to the Foreign Office. On the 6th of April, in reply to our application, the Foreign Office stated that the documents had been sent to the Board of Trade for selection, and that it would not be proper to communicate them before being presented to Parliament.

924. Did you ever receive those papers?—On the 6th of May the Board of Trade wrote to us, stating that certain ports in the Philippine Islands would be opened during the present year (that is, 1858), for the free importation of rice, paddy, wheat, &c.; we did not receive the papers.

925. In that case, upon your application to the Board of Trade, you were referred to the Foreign Office, and then you were referred back to the Board of Trade by the Foreign Office, were you not?—Yes, we were; we had to go through this correspondence to obtain the information.

926. What department of the Government does your Chamber consider specially responsible in reference to trade with foreign countries; I mean to say, what department do you think you ought to apply to for information, or for the carrying out of your views?—The Board of Trade we consider to be the responsible office to conduct the affairs of trade; and this is not a modern nor a new conclusion. In July 1862 we had a correspondence with the Leeds Chamber of Commerce upon the subject; the Leeds Chamber issued circulars with a view of drawing the attention of the Chambers of Commerce to the inefficient character of the two departments, the Foreign Office and the Board of Trade; and in that circular they intimated their impression with regard to what should be done to improve the efficiency of one or both those offices. We wrote to them in reply, stating that we did not agree with the conclusions they had drawn. Our letter was dated 25th July 1862, and was to this effect: "Your circular letter of 14th ultimo having been submitted for the consideration of the Board of Directors of this Chamber, I am instructed to inform you, in reply, that they are of opinion that the supervision of all matters connected with the foreign trade of the empire is vested in the Board of Trade, and that Her Majesty's Secretary of State for Foreign Affairs must naturally look to that department for information upon such subjects. The Directors of this Chamber, therefore, do not coincide with the views expressed in your circular as to the reorganization of the Foreign Office, but will be happy to co-operate with your Chamber in any effort made with a view to rendering the action of the Board of Trade more direct and effective."

927. Then it was your impression at that time, was it not, that the supervision of matters relating to foreign trade rested with the Board of Trade?—Yes, it was.

928. Is that your opinion still?—Yes; although from recent information we have somewhat changed that conclusion; it may be supervision that they have, but it is not supervision with any power to enforce or carry out their conclusions. So far as we now hear, the Board of Trade have no power whatever beyond that of handing over to the Foreign Office such conclusions as they may have arrived at.

929. At present to which department do you apply, or do you apply to both, upon foreign commercial matters?—To both occasionally, but we apply more frequently to the Board of Trade; we consider that the Board of Trade is more immediately in sympathy with commerce.

930. Supposing that the representations of the commercial bodies are not successful, do you consider that the Board of Trade is to be blamed for not giving advice to the Foreigh Office, or the Foreign Office for not following that advice?—Of course it is impossible for us to know what transpires between the two offices, but we are not disposed to blame the Board of Trade; we have no conception that they are in any way deficient in the attention which they ought to give to representations made from commercial bodies. We consider that they have a very efficient staff; and we should be very glad to see the Board of Trade carry with it a larger amount of weight and responsibility than it now appears to do.

931. Have you any doubt upon which department of the Government to fasten any blame there may be?—I do not know that I could give you any reply to that which would be based upon any immediate knowledge. We see that representations having been made to the one office and to the other office lead to no agreeable results, but in what department the affair may have miscarried it is not always in our power to judge.

932. Did you wait upon Lord Palmerston with regard to this business in the course of this year?—Yes, we did.

933. Upon what ground did you wait upon him?—In interviews which we had at the Board of Trade and at the Foreign Office, we had remarked how painful it was to us to find, from time to time, that there was not a larger amount of attention given to matters of commerce; and something like two years having passed away and no change appearing, we thought that it was necessary for us then to appeal to a higher authority, and we presented a memorial by deputation to Lord Palmerston. I have that memorial here (*producing the same*); it states, generally speaking, that the Board of Trade has a large amount of other duties thrown upon it, and that therefore it cannot be supposed that the Board of Trade now can be as efficient as it ought to be with our enlarged commerce. We drew his Lordship's attention to the necessity of his taking it into his favourable consideration, and causing inquiry to be instituted, and "such steps taken as may appear most desirable for rendering the action of the departments herein referred to more direct and efficient in communicating with Foreign Governments upon commercial affairs; and, further, that your Lordship will for the future require that Her Majesty's representatives abroad shall devote to the subject that measure of attention which its vast importance demands." This memorial was presented to Lord Palmerston at the beginning of this year.

934. Will you hand in the memorial?—I will. (*The same was handed in.*—Vide *Appendix.*)

935. Have you any remark to make as regards the necessity of applying to both offices; I think I understood you to say that you did apply to both offices occasionally?—In the interviews that we had with both offices we had remarked upon the inefficiency of the two departments.

H. Ashworth, Esq.

7 June 1864.

936. By inefficiency do you mean the inefficiency of each department in itself, or the inefficiency of the arrangement between the two departments?—The inefficiency of the arrangements of the two departments to carry out more extensively and more fully the demands of commerce. Lord Palmerston, having read the memorial which had been presented to him, demurred to the accuracy of our statements. He told us that we were misinformed, and asserted in very strong terms that the two offices were efficient; saying that he himself had been at the head of the Foreign Office, and that he could undertake to say that the departments were in all respects what they were represented to be, namely, efficient in promoting the interests of commerce. His Lordship also said, when we spoke of the inefficiency of our diplomacy in the reduction of foreign tariffs "Well, you know we have nothing to give; we have given all we can give; we have nothing more to give in repeal of duties, and we cannot go to market with nothing to sell." And he indicated that it was impossible for us to look forward to anything like a reduction of tariffs from foreign countries unless we ourselves had something to offer them in exchange. That was the principal part of the intercourse we had with him.

937. Did that reply of Lord Palmerston satisfy your Chamber that your suspicion as to want of efficiency was unfounded?—No; it did not satisfy us by any means, although we did not stop there to cavil with him about the inefficiency of the departments. When he came in and told us this broad statement in the manner he did, it was not for us to stop to convince him that he was mistaken; we preferred to take the course that has now been taken by the Honourable Chairman, namely, to bring the matter before Parliament, and have it inquired into. And I hope, if Lord Palmerston feels strongly, as he appeared to do, upon the subject, he will take this seat which I now occupy, and either confirm his own statements or disprove those statements of evidence now offered.

938. I think you stated that the supervision rested with the Board of Trade?—Yes, we thought so.

939. What do you understand by the word "supervision;" do you understand that the supervision means that the Board of Trade is authoritative upon matters referring to foreign commerce?—In a general point of view, I should say that supervision meant the conducting of the active work to be devoted to the accomplishment of every purpose whereby commerce could be promoted at home or abroad; nothing short of that reckless activity which should be employed for discovering openings for trade in those countries where manufacturing people might not have an opportunity of discovering them.

940. In using the word "supervision," as regards the Foreign Office and the Board of Trade, do you mean that the opinion of the Board of Trade is to be the one which is to guide the Government in matters regarding foreign commerce?—We were prepared to believe that, the supervision resting with the Board of Trade, their statement showing that they had arrived at certain conclusions would amount to something like an injunction upon the Foreign Office to carry out their views.

941. Supposing that you were informed that the relation between the Foreign Office and the Board of Trade is, that the Foreign Office asks the Board of Trade for advice, and that it has all the responsibility for whether it follows that advice or not; is that what you understand by the present arrangement?—Yes, I do not know to whom they are responsible for not following that advice; but I should hope and trust that after the advice of the Board of Trade had been received and accepted at the Foreign Office, it ought to be shown that some very important obstacle was lying in the way if that advice was not carried out.

942. Is that what you suppose to be the present state of things?—Yes; nothing but some overpowering influence, tending in some other direction, ought to prevent anything from being carried out which has been recommended by the Board of Trade.

943. Mr. *Henley.*] In the early part of your evidence, you stated something with regard to the number of consuls or consular agents that we have abroad; did I rightly understand you to say that the number was over 400?—We have limited our observation of them to 400.

944. What is your opinion of the value of the reports of those 400 gentlemen?—Whatever may be the value of them in other respects we know not, they do not lead to results, such as we had reasonable ground to have expected; for instance, taking the Consular Department in Europe, it cannot be said that they have been very manifestly serviceable, considering that a population such as that of Europe, amounting to 254,000,000 of people, take from us in British articles, whether they be coals from our mines, slates, beer, manufactures, or any other article, only to the extent of 47,000,000 *l.* a year. That is taken from the Returns for 1862, the last year I had an opportunity of judging from; I give it to show in what manner a large extension of our commerce might be supposed to be capable of being carried out if due attention had been given to the subject. I may state that since the Treaty of Paris, our exports to France have amounted to 5 *s.* a head upon the French population. The population of Austria is the same number as the population of France, within 1,000,000; the one is 36,000,000, and the other is 35,000,000. Whilst we have sent 9,000,000 *l.* worth to France, we have only sent 780,000 *l.* to Austria, with nearly the same number of people; so that while France took 5 *s.* worth of merchandise a head from us on their population, Austria took 5 *d.* only, and Russia 6½*d.* We cannot look at a return like this, without feeling that there is something due from our consuls abroad, and that we had reasonable ground to expect that something should be carried out to improve the state of things shown by that return.

945. Do you attribute the larger proportion which the one country takes, and the small proportion which the other country takes, to any superiority of action, or to any action at all, upon the part of the consular body?—This we do not know, but we know that we have doubled our intercourse with France since the treaty.

946. What have the consuls had to do with that?—It depends upon what the consuls are made of, whether they are men who understand or care about commerce or not. I never missed a man from the Manchester Exchange who had taken a consular appointment.

947. I gather from that, that you think the right

right sort of men are not appointed consuls?—I do think so. I conceive that there are many of them, no doubt, who are well-informed men; but there are a great many others who, I think, either do not understand commerce, or do not care very much about it; and, so far as I understand the matter, we have no training-school for that branch of diplomacy. An appointment takes place, and we do not know that the gentleman appointed has had any particular training to qualify him. I had a conversation with a consul some eight or nine years ago (I thought that he was a very efficient man), and I inquired of him in what manner he had become acquainted with the responsibilities and the duties of his station as a consul: and his answer was, "When I received my appointment, I inquired where I was to go for instruction and advice touching commerce"; and the answer I received was, 'You must rub against the next consul you meet; your information will come by friction.'"

948. You are aware, I suppose, that the consuls are appointed by the Foreign Office?—No, I do not know how they are appointed. This is the answer the consul gave to me; I give it for what it is worth.

949. Are you aware, of your own knowledge, whether the consuls report to the Foreign Office direct, or whether they report to the Board of Trade?—I do not know, but I fancy they report to the Foreign Office.

950. So far as I gather from your answers, you think, judging from the reports, that some of those gentlemen are not so well informed upon commercial matters as you think they might be?—Not so well as they ought to be. I think that anyone who understands the responsibility of being our consul abroad, and receives an appointment and the distinction it involves, and a good salary also, ought not to be without an excuse if he does not in some way or other promote our commerce.

951. Mr. *Seymour Fitzgerald.*] You complain that there is no training school for the consular body; will you explain exactly what you mean by that?—I am not aware of any training whatever that they receive. I do not know that they have ever been called upon to understand Adam Smith, or Ricardo, or Mill, or any of those authorities upon political economy, which men entrusted with their duties ought to be familiar with.

952. Are you aware whether, when the appointment of consul is conferred upon any gentleman, he has to undergo an examination, or not?—No, I was not aware of it at all; if it is so now, I think it was not so at the time I spoke to the consul. I have referred to a conversation with a consul eight or nine years ago, who gave me the answer I have given you.

953. You are not aware, then, as a matter of fact, what the arrangements are which exist at present?—I do not know that any arrangement has ever been made for their instruction in commerce, or that any training school has ever been instituted.

954. Then if you were informed that there was such an examination, and that the consuls were required to show an acquaintance with and proficiency in matters such as you have described, your opinion would be altered, would it not?—Of course it would. If they have received that training, they have made a bad use of it, as far as I can judge.

955. Has it been at all your opinion that the consuls should be appointed from gentlemen who have been engaged in commerce?—No; I do not mean to say that they should be appointed from any particular class, but that they should be persons who, in some way or other, are familiar with the necessities of commerce, or who have sympathies running in that direction.

956. If you are informed that it is the case, that the consuls are required to show a knowledge of, and even a proficiency in the subjects to which you have referred, and you find that that is not sufficient to produce that efficiency which you desire, does not it show rather that no training is likely to secure the body of men whom you would desire to see appointed?—So far as I understand the question, I think that if the consuls sent abroad had received that amount of instruction which I should suppose had been imparted to them in some training school before their appointment, they ought to be called upon and expected to produce results which we do not yet see.

957. Do you contemplate the establishment of an institution in which those gentlemen should be educated?—Without speaking of education, I think that they ought to undergo an examination which should satisfy those who have the conducting of those departments that they are suitable men to be sent out—men who will discreetly exercise the knowledge which they possess in infusing into the minds of those of other countries that which will be for the advantage of both, in regard to increasing the commercial intercourse existing between them.

958. Is it with the view of their disseminating just opinions upon matters of commerce in foreign countries that you desire them to have undergone this training?—I think that that is the way in which you could reasonably expect to influence foreign countries in regard to their own interest.

959. What means would a consul have of disseminating such information?—Seeing that Lord Palmerston told us that we had nothing to offer, and we have heard in this room, in the course of the examination, that we have nothing to offer; if we could offer them nothing better, let us give them one of Mr. Gladstone's budget speeches. If we have nothing to offer in the way of a *quid pro quo*, we might give them something to read, at any rate, which contains the results of our own practice, and which will, at all events, be calculated to convince them of what it is their own interest to do.

960. Would it require a gentleman of particular qualifications and particular training to present a speech of Mr. Gladstone's to any foreign Government?—If he had no knowledge at all, you might give him one of those speeches, and a man would be a great fool if he could not make use of it.

961. I suppose you mean that the Board of Trade are to have Mr. Gladstone's speeches translated into foreign languages, and sent round to our consuls abroad?—If you sent out the four or five last speeches of Mr. Gladstone upon the budgets, I do not know how we could send anything out to a foreign country more convincing than the success indicated in those speeches. There is another way in which they might be influenced. I take it that it would have a great effect if those foreign consuls were to receive promotion or reward, in some measure corresponding to the service they had done to com-

H. Ashworth, Esq. 7 June 1864.

merce, just as they would if they had attended some entertainment, or some royal marriage, or some grand *fête* of that kind. Give them an opportunity of qualifying themselves for the service, and let them show that they have done some service to commerce, and then let that stand as one of the recommendations for promotion.

962. What do you mean by the rewards that are given for some grand *fête*?—Give them promotion; if you cannot give them anything else, give them empty titles; give them anything that you can give them that should make a man think himself of some consequence, and feel that he had been rewarded.

963. Do you propose that titles should be given to all our consuls?—You cannot give a title, as a reward, to better purpose than by making a man somebody who has doubled the commerce of that country which he has been charged with.

964. Are you aware that the salaries which are given to the consuls who are sent abroad, are generally the most moderate, or even, I may almost say, parsimonious character?—If you asked the opinion of a consul himself, he would say that the salaries are low; but if you ask me, looking at the aggregate of 200,000*l.* a year, I should say that we get too little for our money.

965. I think you stated that the number of consuls was 400?—Yes; it would give an average of about 500*l.* a year a piece.

966. Do you say that the consuls and consular agents get 500*l.* a year a piece on the average?—Taking them to be 400 in number, at 200,000*l.*, that would give 500*l.* a year a piece.

967. Are you sure that the amount given to consuls and consular agents is 200,000*l.* a year?—It comes from a publication which was recommended to us at the Foreign Office, and if it is in error, it is what we do not happen to be accountable for. It is a book which the Honourable Under Secretary for Foreign Affairs recommended to us, which contains the information that I have given you.

968. In what other way do you suppose that consuls could promote and extend the interests of commerce in foreign countries, besides distributing Mr. Gladstone's speeches?—If he could obtain their attention, he might easily show them in what manner the consumers in those countries could be better served by manufacturers from this country than they are now served by such means as they may have in their own power, probably their own protected manufacture.

969. What do you mean by saying, "If he could obtain their attention"?—Their attention, or at least their assent, can be only obtained by convincing them that it is their interest.

970. Convincing whom?—First of all those who are the leaders of public opinion, and then those who are in authority, and who are within the range of the observation of the consuls themselves.

971. How could consuls, who are located at small maritime ports, get into communication with the distinguished men who have influence in those countries?—To small maritime ports I would never send a consul.

972. Are there no functions which a consul performs which are of importance to commerce besides such as you indicate by your evidence now?—Probably there are, but for consuls in large places I think there can be no excuse; and if you send them to small places, where there is not much commerce, you can expect but little of them.

973. Mr. *Bazley.*] Do you conceive the duty of a foreign consul to be chiefly commercial or political?—I rather imagine that the origin of the consular office was to act in a commercial capacity; but I think there has been engrafted upon it a great deal of political service, which did not in the first instance belong to it.

974. Can you inform the Committee from your own knowledge of any signal commercial service having been rendered by any foreign consul of this country to the trade and commerce of this country?—I do not know an instance. I do not know what you would call Mr. Cobden, but Mr. Cobden has rendered us the only service that we know of in the way of foreign diplomacy.

975. You do not know that any foreign consul has extended or increased the commercial relations of this country with foreign countries?—Not at all. I do not know an instance.

976. Mr. *Pender.*] Is it not your opinion that if the different consuls were brought into contact with the Board of Trade, and requested to make all their communications to the Board of Trade, the information derived from those sources would be much more reliable and much more efficient than it is coming in the way it does now, mixed up with other matters?—Yes, I should like to see all the foreign consuls brought more fully into communication with the Board of Trade; and from what we have observed of the spirit of the Board of Trade, I think they would communicate that information in every direction with a view to produce the extension of commerce. I think the effect of that would certainly be beneficial.

977. Would it not also lead to a competition on the part of consuls, which would induce them to be more careful in furnishing trade reports, and reports that would lead to results if they knew that upon those results would depend the promotion and honour for themselves?—If the promotion of commerce was deemed to be an honour, I think it is very likely that you would find that our diplomatic service would be of greater importance, and that our consuls would be of more use to us than they now are.

978. As Chairman of the Manchester Chamber of commerce, have you not felt that there is a great want of information, received through the Government, upon what is going on in the different foreign countries?—Yes, there is very little indeed. As I have shown in eight years, the amount of correspondence has been very small, and a very small part of that correspondence has been of any use to us. It is of no use to us to talk to us about the growth of tobacco in Algeria, or the growth of silk in some other place; it does not concern us. The officials write very dignified letters, letters full of lofty expressions, so that one would just imagine that they were walking upon stilts. The correspondence from the Board of Trade or the Foreign Office is half full of that which has no meaning in it, and, when read, a great many of their letters are not worth sixpence.

979. The complaint at the present time of the Manchester Chamber of Commerce is, that this country has rather been beaten in the race with France in acquiring advantages, and in making treaties with other countries, that we have always come in late, is it not?—So far as the attempt to serve us in that way has gone, what we have observed

observed is that on some account or other the opportunity has been missed for making the most of any change that was being negotiated in the tariffs of other countries. We have remarked that, instead of being on the spot when the French were there, we have been there perhaps six months afterwards. They have chosen to say that we might have the favoured nation clause, but that favoured nation clause has been good for nothing to us. Take, for instance, the favoured nation clause in the case of Italy, which has recently been spoken of. The French would get a reduction of duty from 100 per cent. to 15 per cent. upon the importation of bronzes or fine silks, or a number of articles more connected with the fine arts than with the manufactures. The Italian Government would give us the favoured nation clause for those classes of articles; but we do not make bronzes for public sale, or articles of that nature, which the French get their living by. The French do not at the same time request on our behalf a reduction in the tariff upon cotton manufactures, in which we are concerned; so that, after all, the favoured nation clause is not worth anything to us. The Manchester manufacture is just where it was before, and yet the idea is palmed off upon us that we have received some good from French diplomacy.

980. It is understood that all the principal consuls make reports annually upon the state of trade in the particular country in which they are located, is it not?—Yes.

981. Have you been in the habit of receiving those reports at the Manchester Chamber of Commerce?—Yes, we get them regularly, whatever they may be worth; they come to us; we have no need to complain of their not being sent; we complain of their containing so little that is valuable.

982. Mr. *Charles Turner.*] Speaking generally, do you not, as Chairman of the Manchester Chamber of Commerce, think that it would be very desirable that we should have the most favoured nation clause?—It is desirable to get anything you can, or to get all you can. At the same time you should not value it for more than it is worth. Put it down for what it is worth, and no more. It has a very imposing effect to say you have got the favoured nation clause, but where is the pecuniary value of it? If you can make nothing out of it, it is worth nothing.

983. It is better than this country being put at a disadvantage compared with other countries, is it not?—I consider it a disadvantage when other countries obtain a reduction of duty from 100 per cent. to 15 per cent., and we get nothing.

984. If other countries were put in a better position, as regards cotton, for instance, than this country, that would add to your grievance, would it not?—Probably it would, but I cannot say that any other country has been placed in that position as yet.

985. If that were so, you would have a good deal to complain of, would you not?—We should complain, and should be no gainers if it were so.

986. You would be losers, would you not?—Yes.

987. Mr. *Kinnaird.*] I think you stated just now that some of the statistics given to you were of no use to you?—We can make no use of them.

988. For instance, I think you mentioned some statistics upon silk as being of no use to you?—That is one of the instances I spoke of.

989. When you say "of no use to us," you mean to Manchester, do you not?—Yes. *H. Ashworth, Esq.* 7 June 1864.

990. Are you not aware that the silk trade of this country is a very important trade?—Of importance, certainly; we export about 2,000,000 *l.* worth of silk annually.

991. Has not the silk trade very much increased in importance during the last few years?—I do not think it has; Coventry and Macclesfield do not show that.

992. When you said "of no use to us," you meant to Manchester and to the trade of the country generally?—Yes, I meant to Manchester.

993. There are other trades besides the Manchester trade, are there not?—Yes.

994. Do you suppose that our consuls are only for the Manchester trade; are they not for the trade of the country in general?—For all British trades, and the manufactures of this country at large.

995. Your evidence is simply confined to Manchester, is it not?—Not at all.

996. Why do you say, then, that the statistics upon silk are of no importance?—They are not of much importance to us.

997. Are they not of importance to the country at large?—Yes; but I am speaking as Chairman of the Chamber of Commerce of Manchester; my evidence is the evidence of the President of the Chamber of Commerce at Manchester.

998. You do not suppose that the consular and diplomatic service is solely for Manchester, I presume?—Nothing of the kind. I merely hold that the statistics of silk and tobacco are, in relation to Manchester, insignificant.

999. In relation to other places and to other industries of the country they are of the greatest importance, are they not?—Yes, they are very important.

1000. Then you correct your statement with regard to the statistics of silk being of no importance to that extent?—Yes, to that extent.

1001. Are you aware that a Committee has been sitting to inquire into the diplomatic service within the last few years?—I do not know of anything more recent than the inquiry into the Miscellaneous Estimates.

1002. Then you are not aware that a Committee was appointed by the House which went thoroughly into the salaries and the working of the diplomatic system generally?—No, not beyond the book published in 1848.

1003. I speak of a recent Committee?—I am not aware of it.

1004. You are not aware that a Committee was appointed which sat for two sessions upon the consular service?—No.

1005. Did you read no part of the evidence?—No, I never heard of it.

1006. Then you are not aware that great complaints were made because our consuls were connected with trade?—I am not aware of it.

1007. You are not aware that the former system was chiefly to employ men in business at the various ports for conducting the consular duties, and that complaints were made that there was great favouritism to certain trades on account of their being in a particular trade themselves?—I am not aware of that inquiry, or the result of it. I might have known something of the inquiry at the time.

1008. You do not know that the whole question of pay and remuneration was gone into, and

H. Ashworth, Esq.

7 June 1864.

that a great deal of evidence was given to show that these consuls were greatly underpaid?—No.

1009. You stated it as your belief that the average salary of consuls was 500 *l.* a year; you are not aware that great complaints were made that they were not sufficiently paid?—No.

1010. You are not aware that the French consular service was very much exalted, and that it was supposed by some people to be very superior to ours?—I have heard that, but I do not know anything of it myself.

1011. Are you aware that the French consular service is more like a diplomatic service, and that it is not composed of men acquainted or connected with trade?—I do not know anything of them at all.

1012. When you made these remarks about the consuls and their pay, you were not aware that there was a great deal of evidence upon the consular service which is acceptable to the public?—No, I do not know anything of it.

1013. When you spoke of consuls receiving rewards or promotions were you aware that several of our consuls have been what is called favourably noticed by Government?—I do not know for what service they were so noticed.

1014. You are aware that our trade with China is very great?—Yes.

1015. Have you ever heard of Consul Parkes?—Yes.

1016. He has been favourably mentioned and promoted for consular service, has he not?—Yes. I do not know whether that was for services rendered to trade, or for other diplomatic service.

1017. If it was for consular service of a commercial character, that would modify your statement that the consular service is not rewarded, would it not?—I should be very glad to see others rewarded in the same way. I do not grudge the consuls anything they get. I say, reward them more honourably, if possible, so long as they do something for the money.

1018. Mr. *Butler Johnstone.*] In your interview with Lord Palmerston did you point out any specific grievance which you had to complain of, or did you confine yourselves to a general statement?—We made a general statement.

1019. Was it a long interview that you had with Lord Palmerston?—We were with him an hour and a half.

1020. Did you enter into any specific case which had not received due attention?—No; we went away impressed with the idea that this question would eventually come to a Committee of Inquiry, and that all the statements we had to make would be left, and all the statements that he might also make would be left to the Committee, and, relying upon that, we did not choose to harass his Lordship with any description of intercourse beyond making the statement which was in print.

1021. Your statement to him being merely general, you could scarcely expect any statement from him except a general one in reply, could you?—We got a general answer, which was a contradiction to almost every assertion we had made.

1022. Have you any idea yourself as to what improvement in these departments is required for the commercial interests of the country?—I think the responsibility should rest in some one place; one department should be responsible, whichever it is.

1023. Do you, then, think there would be any advantage from a new commercial minister or the Board of Trade communicating directly with our consuls abroad?—You must not take me as an authority in dealing with matters of that character; I have never had the experience to enable me to form a judgment upon them; we want a system which should be efficient, and the duty of rendering the system efficient is the duty of the Committee; it is not my business.

1024. Have you formed, in your intercourse between the Chamber of Commerce and the Government, any decided opinion as to any specific change which you would recommend?—We can recommend that there should be a change, but not any particular change; we feel satisfied that if there be a change, it will be for the better.

1025. Have you read the consular reports; such as those from Cousul Bonham at Naples, or Mr. Parkes, who has been alluded to?—No.

1026. They are sent to the Chamber of Commerce, are they not?—Yes; you may read through a great many of them before you find anything valuable.

1027. You have not read any of them?—I have not read any of them; I have seen the mass of them; but they are not so interesting to us, as commercial men, as we think they ought to be.

1028. You state that you do not think that the right kind of consuls are appointed?—No; I say not that they are not the right kind, but that they are not rightly informed.

1029. From what do you derive that opinion?—From the fact that they, resident as they have been abroad for so many years, and acquainted as they either are, or ought to be, with the success of our free trade measures, have been thus far inefficient in bringing about a change in other countries.

1030. You judge from the general barrenness of results?—Yes.

1031. You acknowledge that we have nothing to give in return for a commercial treaty, and you say that the favoured nation clause is only of use to certain small interests in the country, and therefore you think that all that our consuls can do is to carry on a sort of free trade propaganda; that is the chief use you consider the consuls to be to the commercial interests of the country?—I think that they can most essentially serve us by placing before the authorities of other countries the amazing success which has followed 22 years of the free trade measures in this country; if they are competent and fit to hold the appointment, I think those 22 years should not have passed away without our having received some evidence that their services, whether as propagandists or otherwise, had in one way or another availed us.

1032. The authorities of a country are not situated in the sea-ports; they are generally at the capital; it would be only the local authorities, the mayor, and so on, to whom the consul at a sea-port could have access?—I do not know that there is any capital where we have not our representative.

1033. In the capitals we are represented by the diplomatic service, not the consuls, are we not?—I do not know that I understand conducting of the diplomatic service so well as to be able to distinguish; but either in the ports or in the capital I think it is inexcusable if they have not attempted to carry out that which has been for the last 22 years in this country found to be so great an advantage.

1034. Is there not a very strong Protectionist feeling abroad?—There was here at one time.

1035. There is still abroad, is not there?—No doubt.

1036. Do you think that foreigners generally are sufficiently advanced to be able to understand Mr. Gladstone's speeches?—I do not know any better way of instructing them than by sending out the speeches, and distributing them by the hands of persons who are able to explain them.

1037. Do you not think that a preface by Mr. Gladstone would be an advantage to them?—Anything that comes from him in the same direction as those successful speeches would be serviceable to any man of common sense in any part of the world.

1038. Mr. *Layard.*] Do you know anything of the duties of a consul?—Very little.

1039. Not knowing anything of their duties, upon what ground do you condemn them in so sweeping a manner?—Because they have undertaken a duty which we conceive is ill-performed.

1040. You say you do not know what their duties are; therefore, how can you say that they undertake a duty which is ill performed?—They undertake duties connected with commerce, and, as a commercial man, I ought by this time of life to have found out whether those duties have been performed to my advantage; I have not found that they have been so performed, and that advantage I have looked for in vain.

1041. You are mixing up consuls with diplomatic agents, are you not?—I ought perhaps to have said the diplomatic service; but it is only a matter of words whether they are called consuls, or ministers, or ambassadors, or whatever they are called. The service is a service of great importance to this country, and although it costs an enormous expense, I remark upon what this representation of what we call our intelligence comes to?

1042. Are you speaking of consuls or diplomatic servants, then?—Diplomatic servants.

1043. *Chairman.*] You mean both the consuls and ministers, do you not?—I mean the whole staff that have to do with the affairs of our country abroad.

1044. Mr. *Layard.*] Do you know at all the distinction between a consul and a diplomatic agent?—If you asked me I should not know the distinction between a captain and an adjutant, or any other officers in the military line; I know as little about them.

1045. If you did not know what a captain had to do, or what an adjutant would have to do, would you feel yourself authorised to condemn what a captain had done, or what an adjutant had done?—If they had undertaken the duty and been defeated, I should know it.

1046. You say you do not know what their duties are; therefore, how can you know that they have undertaken those duties?—When I say I do not know the duties, I mean in detail; I know it in substance.

1047. Can you tell me in substance what the duties of a diplomatic agent and what the duties of a consul are?—To represent the great interests of our country in every part of the world.

1048. Do they not do that?—They may do it, but not to my liking.

1049. Upon what ground do you say that they do not do it to your liking?—Because I have a pecuniary interest in the results of what they are called upon to do, and I am disappointed.

1050. Do you think that France has done more than we have?—I do not know what France may have done; I am less acquainted with the affairs of France than I am with those of my own country; but, judging from what they have done latterly, I think they may cease to talk to us about being a shopkeeping nation; for in the race of competition for treaties of trade they have beaten us latterly.

1051. Will you be good enough to state in what way they have beaten us?—By their intercourse with Belgium and Italy; by forestalling us in obtaining treaties; treaties which, as far as we know, we did not begin, or at any rate undertake, until they had gone a great way towards completion.

1052. You say that the French have concluded treaties with Belgium and Italy; are those the only ones you are acquainted with?—I cannot say that I know of any more.

1053. What commercial treaties have we concluded with other countries?—I do not know of any.

1054. You do not know that we have made a treaty with Belgium and another with Italy?—The treaty with Belgium, I understand, is the favoured nation treaty, which was described the other day by Mr. Ripley.

1055. Do you know whether we have made treaties with Italy and Belgium?—I believe a treaty has been made with Belgium; but it does not reflect very favourably upon our intelligence, or upon our means for obtaining a treaty.

1056. Will you answer the question: have we made treaties with Italy and Belgium, do you know?—I do not know.

1057. You are the President of the Manchester Chamber of Commerce, are you not?—Yes.

1058. You do not know whether this country has made treaties with Belgium and Italy?—I do not know whether you call it a treaty, or what you call it; we have the "favoured nation" clause as regards our intercourse with Belgium, but it affects us very little.

1059. What is the use of a Chamber of Commerce; what are its functions?—I say that a Chamber of Commerce is indispensable in such a country as this, more especially in those times when we had to leave Protection and arrive at Free trade. If we had not a Chamber of Commerce, I do not know where we should have been now.

1060. What are the objects and functions of a Chamber of Commerce?—To promote, as far as possible, the interests of the branch of commerce which we represent.

1061. You, as the President of the Chamber of Commerce at Manchester, state that notwithstanding the Foreign Office sends constantly the reports of their consuls abroad, you have never read one of them?—I cannot say I have read one of them through, but from what I have read I have found very little worth reading.

1062. You stated positively that you had never read one of them, did you not?—I have not read one of them through; of course I have seen more or less of them; I should not like to say that I was acquainted with them.

1063. Does the Chamber of Commerce take in the "London Gazette"?—No.

1064. Do you not think it the duty of the Chamber of Commerce, if its functions are such as you state, to communicate to the commercial body of the district in which the Chamber is

H. Ashworth, Esq.

7 June 1864.

located, the great commercial news of the day?—Yes; there are occasional formal communications from the Board of Trade, giving us statements which are drawn from the "Gazette," and those statements, coming in a formal manner, are such as they conceive would be calculated to interest the Chamber; therefore we conceive that in that way we keep pace with the knowledge of what is passing, deserving the notice of the Board of Trade.

1065. Are you aware that all the diplomatic agents and consuls abroad send to the Foreign Office, immediately upon their appearance, every decree or change of regulations as regards the shipping trade, or any question of that nature?—It is very likely that they may send them (I do not doubt it); but the question is how often those things occur. We complain that they do not occur often enough; we complain that these changes are seldom heard of.

1066. Are you aware that all those notices, and all that information supplied to us by every consul and diplomatic agent, is at once, within a few hours of its receipt, published in the "London Gazette"?—I am not aware of that. We have hitherto had very familiar intercourse with the Board of Trade; the Directors, whenever they come to London, are always welcomed there. If they go to the Board of Trade to ask for information, they find every freedom of access and familiarity there; they are always well received. But I do not know a man who ever went to the Foreign Office, except upon a deputation; I do not myself know any individual in the Foreign Office, beyond the Honourable Under-Secretary for Foreign Affairs himself.

1067. Have you ever asked for any information at the Foreign Office which has been refused?—I cannot say that it has been refused, but we have recived very little information from the Foreign Office which we consider of any great value.

1068. Have you ever applied to the Foreign Office, officially, for any information without an immediate answer being returned to your application?—I have given you the whole of the correspondence of the last eight years; you will judge from that of what value and importance it has been, and in what manner the information has been sent.

1069. My question is this, when you have applied to the Foreign Office have you not received an immediate answer?—We have received an answer, but not always immediately.

1070. Has there been many days' delay?—I cannot say how long the delays has been; if I were to refer I could find out. We have not always been promptly answered.

1071. Do you think that it is the duty of the Foreign Office to supply all the Chambers of Commerce in England and all the commercial bodies in the United Kingdom with commercial information?—We have a claim to receive commercial information from somewhere; if that duty does not belong to the Foreign Office, it belongs to some other department.

1072. If the Board of Trade and the Foreign Office publish all this information which I have referred to in the "Gazette," do not you think that it is the duty of the Chambers of Commerce to take in the "Gazette," and obtain the information without calling upon the Foreign Office and the Board of Trade to be at the additional trouble of sending the information to those bodies?—The "Gazette" is open to the public; if we thought it worth while we should take it in, but we do not think it worth while, and we have not had it.

1073. Do you ever see the "Gazette" yourself?—Yes.

1074. You have looked through it?—Yes.

1075. You know what it contains?—Yes.

1076. You say that the "Gazette" is not worth anything; yet when I ask you if it contains all those consular reports and other commercial information, you say you do not know?—I say I have seen the commercial and other communications published in the "Gazette," but the Chamber of Commerce has not thought the "Gazette" worth taking in.

1077. You stated, did you not, that all the affairs that we have carried on on the Continent have miscarried?—They have not come to the results that we looked for.

1078. What are those results?—That the fivepence which the inhabitants of Austria now pay for imports from this country should become 5 *s.*, or 5 *l.*, or some large sum; we do not want to have it stationary from year to year. They have in Austria now a population of 35,000,000 of people; and yet, although they are so near to us, they have so little to do with us, as to take only 5 *d.* worth per head of our exports.

1079. Does the fault lie with the English or the Austrian Government?—I conceive that it lies with both of them.

1080. Are you aware whether or not any negotiations have been carried on between this Government and the Austrian Government to remedy that state of things?—I am not aware.

1081. Therefore what you say is only your opinion; you know nothing about it?—It is an opinion, certainly, but it is based upon the calculation which I have shown you.

1082. Your opinion is merely based upon the fact that whilst France takes so much of our goods, Austria takes so much less?—Yes.

1083. You do not know whether the English Government have attempted to improve this state of things or not?—I do not know at all.

1084. You spoke of barrenness of results; have we during the last few years made no treaties at all, except with Belgium and Italy?—I do not know.

1085. Has no treaty of commerce been made with Turkey?—I do not know.

1086. You are President of the Chamber of Commerce at Manchester, and do not know whether a treaty of commerce has been made with Turkey?—No, I do not know anything about it.

1087. You say that the "favoured nation" clause is of no use?—In certain circumstances it is of no use.

1088. When France negotiated with Belgium and Italy, had she anything to give Belgium and Italy in return for the concessions made by those two countries to her?—I do not know.

1089. Have we at this moment anything to give Belgium and Italy, or any country in Europe, in return for concessions on their part?—I hope we have not.

1090. Upon what grounds can we go to Austria, or any other nation, and ask for reductions, if we have nothing to offer in return?—Your question involves the idea of reciprocity; if you had been engaged in the agitation for free trade, you would have understood long ago that we had

taken leave of reciprocity, and that reciprocity might be an aid but not a necessity in conducting our commerce. If we are to return to reciprocity, then we shall have something to give; but before we return to reciprocity, we shall have to consider whether we are prepared to return to the corn laws, and put on again duties upon the thousand articles from which they have been taken off; if you do that, you will have plenty of capital to go abroad and negotiate treaties.

1091. We have abandoned the reciprocity system, have we not?—So long as we have abandoned that, I think it does not come within the range of the inquiry here.

1092. Have other countries abandoned that system?—If they have not, it belongs to us to convince them that they are mistaken in not having abandoned it.

1093. Supposing they will not be convinced?—I have no evidence whether they will or not; I do not think that we are excusable if we do not make the attempt.

1094. You do not know whether those attempts have been made, do you?—I do not know whether they have been made or not.

1095. You know nothing about it?—No.

1096. When you went to Lord Palmerston, did you make to him the general statement which you have made to-day?—Yes, we did not go into the argument; we conceived that it would have been almost cruel to have done so, seeing that he was suffering pain from indisposition.

1097. Has it not been the habit of this country to encourage individual exertion rather than to leave public bodies and individuals dependent upon the Government?—So far as we know, individual exertion has been encouraged in every department, but notwithstanding that, the liberation which we have received as foreign merchants is limited in its action by foreign tariffs; it is those foreign tariffs that interrupt our English action, and retard our success.

1098. I am referring now to the kind of tutelage into which, if I understand you rightly, you wish to place the Chambers of Commerce in this country under the Foreign Office or the Board of Trade. You seem from what I gather from your evidence to think that the Board of Trade and the Foreign Office together, or one or the other, ought to carry on the affairs of the Chambers of Commerce?—I do not say that; I say that the Board of Trade or the Foreign Office, or some office whose duty it should be to do it, ought at any rate to enable us from time to time to know what is passing, and in case of need to obtain from us our opinions and impressions touching the negotiations or the affairs of other countries in which they are engaged.

1099. Do you think that if the Foreign Office in consequence of its instructions, receives reports periodically, sometimes twice a year, and at other times once a year, from all its agents abroad, commercial and diplomatic, and if those reports are printed and circulated amongst all the Chambers of Commerce in England, and, moreover, if every change of the commercial tariffs and commercial regulations of countries abroad is published in the "Gazette" the very moment that it is received, and all that information is given to the public, still that is not enough for the Chambers of Commerce?—It would be enough if it contained anything, but it contains nothing of great value belonging to commerce.

1100. If there is nothing to report, how can we give any information?—If there is nothing to report, you should inquire what the officials have been doing.

H. Ashworth, Esq.

7 June 1864.

1101. You state that you never read the consular reports; how do you know that they contained nothing?—If they contained anything I should be sure to hear of it amongst the 24 men at the Chamber of Commerce. Some read them and others do not. Nothing has taken place, that I know of, that we have overlooked. What we want is better service.

1102. *Chairman.*] I think you stated, in answer to an Honourable Member, that you did not consider that the favoured nation clause was sufficient?—No.

1103. I understand your reason to be that a treaty which is obtained by France would be a treaty consulting the interests of the French, and not necessarily consulting the interests of the English?—Yes.

1104. Am I to understand from that that you think it is the duty of the Government to instruct its representatives to ask that as a matter of friendly courtesy to our Government we should be informed at the time when there is a revision of any tariff in a foreign country taking place?—Yes.

1105. Upon whatever grounds that revision takes place?—Yes, undoubtedly. If I had been in charge either of the oversight or of the conducting of the affairs between this country and Italy at the time of the treaty I should have insisted that, since they had chosen to reduce their duties from 50 or 100 per cent. down to 15 per cent, in favour of French articles, it would be equally to our interest that a reduction should take place in like manner upon the articles in which we were concerned (perhaps they would not be the same as those in which the French were concerned), and that they should be reduced in like manner to 15 per cent.

1106. When you say "insist" you mean that a representation should have been made, that it would have been advisable to do so?—Yes, the negotiations should have been taken up upon that condition.

1107. You are of opinion, that those who represent England abroad should be so informed of the details of English commerce as to be able, when a foreign country is revising its tariff, to give information how a particular duty would affect British manufactures?—They are not fit for their place unless they can do it.

1108. One great cause of complaint is, that we have stood with our hands behind our backs while a tariff has been revised, without giving such information?—Yes.

1109. If you find that the result of this inquiry is to show that we have not done that, that cause of complaint will be removed, will it not?—Yes. So far as we know yet we have that reason of complaint, and when our trade is over-burdened, as it now is, with pauperism, and while a most industrious population is living upon charity, you will excuse us if we feel strongly that we are not represented as we ought to be.

1110. Am I to understand, that when you go to the Department which has the management of these commercial affairs, whichever that Department may be, in the Department which can use its knowledge, you find knowledge with reference to the interests of English trade?—Yes; we ought to find that knowledge. At present we find great courtesy, and we find every disposition

H. Ashworth, Esq.
7 June 1864.

to listen to us; they are models of courtesy, but so far as regards any resulting advantages, I cannot say that we are anything but disappointed.

1111. Supposing that the result of this Committee should be, that the barrenness of the results is proved to arise from the necessity of the circumstances, and not from any want of good machinery on the part of the Government, for giving information, or from any want of knowledge, you would then feel, would you not, that your complaint was unfounded?—Of course we should; and if our complaints were unfounded we must make up our minds to the loss.

1112. Mr. *Layard.*] Will you explain what you mean by the word "insist"; do you think that we should go to any country and say, "give us a treaty of commerce, if you do not, we shall go to war with you"?—No, I would not fight them upon any account.

1113. What is the meaning of the word "insist." Do you mean to say that we should threaten to suspend diplomatic relations?—No; I would say, I insist that we are right and you are wrong; that is the way in which I use it. I would insist that our policy as regards commerce was a sound and true policy.

1114. *Chairman.*] You mean that we should strongly represent to them, that the trade between the countries was lessened, and that it was disadvantageous to them that it should be so, and also that there was a want of friendliness on their part in not giving us information at the time when they were revising their tariffs?—Yes.

1115. If it turns out that our Government has not asked to be put in communication with them, at the time of their revising their tariffs, would you not then ascribe the fault to the Government for not making that representation?—Yes; I have not yet ascribed that to the Government, because they have talked as if they had made these representations to other countries, and other countries had told us that they had got all they could get out of us. We could not suppose that gentlemen would come here and talk as they have done, unless they had instances to prove it. I have never heard of a case myself where a foreign country has been so ungenerous to us.

1116. Mr. *Seymour FitzGerald.*] In one of your answers which you have given to an honourable Member, you seemed to express a very unfavourable opinion of the favoured nation clauses, did you not?—I do not express an unfavourable opinion of them, but I undervalue them as compared with the value put upon them by other people.

1117. You instanced the case of the treaty between France and Italy?—Yes.

1118. You said that France obtained great reductions as regards her bronzes and silks, and so forth, which did not concern us, and that consequently we did not derive any benefit from the favoured nation clause?—The favoured nation clause is of no benefit to us that I know of.

1119. Having obtained that favoured nation clause, suppose Italy makes a commercial treaty with the Zollverein, or Switzerland, and then makes great reductions in her tariff, with reference either to cotton or woollen goods, would not the favoured nation clause then be of great value to this country?—Undoubtedly it would.

1120. Therefore, you mean that the favoured nation clause has only in the single instance of the French Treaty, not produced the benefit which you desired?—Exactly.

1121. That is an exceptional case?—Yes.

1122. *Chairman.*] With regard to the Italian Treaty, I do not know whether it comes within your special province, as a manufacturer, to have to deal with the Italian trade, is it not the case, that the late arrangements between this country and Italy have left the cotton trade where it was before?—In just the same condition. We have had no benefit from that treaty at present.

1123. Mr. *Seymour FitzGerald.*] That is to say, we have not derived that benefit so long as the treaty is limited to a treaty between Italy and France, and there is no treaty between Italy and other countries?—That treaty does not, as far as I know, confer any benefit upon us as cotton manufacturers.

1124. Mr. *Charles Turner.*] With regard to the "London Gazette," it is taken at the Manchester Exchange, is it not?—Yes, it is taken at the different news rooms.

1125. You can see it there whenever you wish to do so, can you not?—Yes.

1126. Therefore your chamber does not think it necessary to go to the expense of taking the "Gazette," inasmuch as the "Gazette" contains a vast deal of information upon other matters which do not concern you?—Exactly. We can always see any news there may be floating about in the "Gazette," or in the "Times" newspaper, or in any other paper.

Mr. Robert Sturrock, called in; and Examined.

1127. *Chairman.*] You are the Secretary of the Dundee Chamber of Commerce, I believe?—Yes.

1128. How many years have you been secretary?—Fully 20 years.

1129. The Dundee Chamber of Commerce is the Chamber of Commerce for the linen district of Scotland generally, is it not?—Yes; Forfarshire is the seat of the linen trade in Scotland as well as part of Perthshire, and a great part of Fifeshire. The Dundee Chamber of Commerce is the only body which represents in fact the linen trade in Scotland.

1130. There is this distinction, is there not, between the Dundee Chamber of Commerce and most other Chambers of Commerce, that it has a charter of incorporation?—Yes, a Royal Charter from the Queen.

1131. The linen trade is carried on very largely with the continent of Europe, is it not?—Yes, with Germany, and also with the Continent generally; but it is principally with America. Our very large trade lies with America,

1132. You have a very large continental trade, have you not?—Yes.

1133. Were you as secretary to the Dundee Chamber of Commerce, requested by them to go to Paris in July and October 1860?—Yes.

1134. Were you empowered by them to give information to Mr. Cobden, and the gentlemen who acted with him, in regard to the linen trade?—Yes; I and two or three other gentlemen went as a committee.

1135. We have spoken of the linen trade, is not there another article which is largely imported into Dundee?—Up to between 1830 and 1840,

1840, Dundee was entirely in the linen trade. When I speak of the linen trade, I mean the pure flax trade; since then a new trade has sprung up entirely.

1136. What trade is that?—The jute trade. Jute is a fibre which comes from India, and which till about the year 1838 was not known in the country at all. It was first imported by a merchant, more by chance than anything else, into Dundee. At that time the Harbour Commissioners did not consider it their interest to keep it separate from hemp, and it was entered as hemp, but after the year 1838 the Harbour Trustees seeing that there was likely to be a large manufacture of it, entered it by itself in the returns of the harbour, and since then the trade has gone on in this way: In 1838, 1,336 tons were imported; in 1845, 8,313 tons; in 1850, 14,080 tons; in 1855, 25,894 tons; in 1860, 36,965 tons; in 1862, 38,277 tons; in 1863, 46,983 tons; and for the first four months of this year, there have been imported 21,871 tons, which if it was to go on in the same ratio would give us 65,613 tons in the whole year; that is to say, that the trade since 1838 has sprung up from 1,136 to 65,613 tons.

1137. Part of this large and very raqid increase, I suppose, is owing to the very high price of cotton, and the inducement to use jute in some cases instead of cotton?—No doubt, but it arises more from the low value of jute; it is the lowest material known in the whole world, and no doubt since the American war, the increased price both of cotton and flax, has given the jute trade a very large impetus.

1138. Is not jute now manufactured into very different kinds of articles from what it was at first?—No doubt; at first it was manufactured into very coarse articles but by means of the improvement of machinery and by experience, our manufacturers are now able to make it into fabrics which it would require a person very well acquainted with the trade to discover to be jute fabrics at all.

1139. It was at first confined to bagging, but you now make carpets of it, do you not?—Yes.

1140. All this jute comes from our own possessions in the East Indies, does not it?—The whole of it comes from Calcutta; it is all shipped from India; therefore every ton by which the import is increased enriches India as well as this country.

1141. What is the present French duty upon jute goods and yarns exported from Scotland into France?—Previously to the Treaty of 1860 the duties were those which were established by Louis Philippe, they having been altered in his reign. Previously to that we had an enormous trade with France, but during his reign, for the protection of the spinners in France, the duties were increased and made prohibitory, and continued so till 1860; now I think the duties upon yarns and linens range from 10 to 20 per cent.; that is the import duty into France, and of course we have also all the cost of transport.

1142. Has not one result of the French Treaty been rather different from what you expected; that jute yarns have been imported into Dundee from France?—We hoped that we should have had a large trade in sending yarns to France, but in place of that, in consequence of the high price of cotton, the yarns and jute goods in Dundee have got so very dear, that the French, having got little or no export trade themselves, and there being large stocks in France, have not taken our yarns; on the contrary, we have done a very large business in importing from France instead of exporting to France.

1143. That, although a different result from what was expected, has not, under the circumstances, been unfavourable to your trade?—We do not object to it at all; we only wish to be put on an equal footing.

1144. Belgium is in the same position as France, is she not?—Yes.

1145. With regard to Italy, what are the present duties upon your jute manufactures going into Italy?—I have never been able to find them out yet.

1146. Are they not said to be the same as the duties in the Franco-Belgian tariff, as between France and Belgium?—Yes, but unfortunately there are two scales in the Franco-Belgian tariff, and to this present moment I have never been able to find out which scale they come under.

1147. Is not it the case that the duties levied in Belgium upon French jute yarns are 15 francs per 100 kilogrammes; and is it not the case that the duties levied by France upon Belgian yarns vary, according to quality, from 7 to 15 francs per 100 kilogrammes?—French yarns going into Belgium pay 15 francs, whereas again, in the opposite way, Belgian yarns going into France pay from 7 to 10, or from 7 to 20 francs per 100 kilogrammes.

1148. There being this difference, what induced you to suppose that the duty levied in Italy upon jute yarns would be according to the Franco-Belgian tariff?—Because it is mentioned in the treaty that was sent down to us.

1149. Have you asked the Board of Trade or any department of Government, to inform you which of those two scales it was?—I had a very long correspondence; in fact I thought that the duties were more favourable to us, until I got this Franco-Italian Treaty. When I discovered that there were two scales, I took the requisite steps to get informed which of the scales it was to come under, because there was a great difference of opinion. There was a difference between Mr. Mallet and myself upon the point; Mr. Mallet thought that I was wrong, and I thought that Mr. Mallet was wrong. I tried to get to the bottom of it, but to this moment I have been unable to do so.

1150. Do I rightly understand that you have been informed that the duty upon your yarns imported into Italy, is by the Italian Treaty stated to be a duty according to the Franco-Belgian tariff?—Yes.

1151. And that when you asked whether that implied that it was the French duty upon jute imported from Belgium or the Belgian duty upon jute imported from France, you have been unable to ascertain precisely which it is?—I have not learned yet.

1152. Do not you think that the Government ought to be able to inform you what are the duties upon English goods?—I most humbly think so. If I asked the Board of Trade I should hope that they would make every effort to get the information for me. In reference to that I might state that after the Italian Treaty was made with England I received (and very properly) a document from the Board of Trade stating the different duties, but I found it was just a mere statement there, that the duties upon jute goods were according to the Franco-Belgian Treaty; there were no details in it.

Mr. *R. Sturrock.* 7 June 1864.

1153. Is it not the opinion of the Board of Trade, so far at they have given you any opinion, that this treaty must be interpreted upon the more favourable scale; that is to say, the scale which implies the less duty?—I certainly was led to believe so.

1154. That is the opinion that the Board of Trade takes?—Seemingly so.

1155. Supposing that to be discovered to be the real duty, in what position does that put the jute manufactures, as compared with the linen manufactures?—In an unfavourable position.

1156. That is the tariff at present upon linens imported into Italy; is that the old Italian tariff?—Yes; it is not altered.

1157. Is that more favourable than the Anglo-French tariff; are linen goods admitted into Italy from Scotland upon more favourable terms than they are admitted into France?—Yes, upon much more favourable terms.

1158. Then was not it the case, that although the Anglo-French tariff was the general basis upon which the tariff, as between France and Italy was concluded as regards linens, there was an exception to that rule, and the Italians admitted French linen manufactures into Italy upon lower terms than the Anglo-French tariff?—Yes; in short, they made no change: the Italians, when they made this treaty with France, did not take the French duties as between this country and France; they took their old moderate Italian duty, with which the linen trade was perfectly satisfied.

1159. Have you not reason to suppose that the object in giving that concession to the French, more than the French had demanded, because it was a greater concession than that in the Anglo-French tariff, which was the basis of the treaty, was that the Italian Government wished to consult the interests of the Italian consumers, and to admit the French goods upon easy terms?—I can fancy no other reason than that.

1160. The fact, I suppose, being that there was very little linen trade in Italy?—Virtually, there is no linen trade in Italy to protect.

1161. You mean to say that there is no linen manufacture in Italy to protect?—Yes.

1162. To return to jute; is it not the case, that the jute manufactures exported from Scotland into Italy are put in the same position as between England and France?—We cannot be certain; I have no objection to take it for granted, as I do not know actually what the duties are, and I will take the lesser scale.

1163. Taking the lesser scale, it is so, is it not?—Yes; they are admitted into Italy upon the same footing exactly as into France.

1164. Allowing that there is a possible difference in the interpretation of the Franco-Italian tariff, even taking the scale which is most favourable to you, jute goods are admitted into Italy upon the same terms as into France, are they not?—Exactly.

1165. That is at a higher duty than the duties levied upon linen?—Very much higher in proportion.

1166. Consequently, the fact is, that there is a higher *ad valorem* duty upon jute than there is upon linen?—Very much so.

1167. That is the present state of affairs with regard to jute exports; is it the case that the duty is sufficient to prevent jute manufactures from being exported to Italy?—I would not say that at all, because if a country must have a certain manufacture, the consumer must pay for it in that country, but, no doubt, if the duty were moderate, we could supply them with the cheapest goods in the world; of course, we expect that then our trade would increase very much.

1168. Did you receive a letter from the Board of Trade in February 1862, asking for information with regard to the Italian tariff?—We did.

1169. Will you read that letter?—It was a letter addressed to the President of the Chamber: "Office of Committee of Privy Council for Trade, Whitehall, 28 February 1862,—Sir, I am directed by the Lords of the Committee of Privy Council for Trade, to request that you will state to the Chamber of Commerce, of Dundee, that they are desirous of receiving the opinion of the Chambers of Commerce of the United Kingdom upon the operation of the tariff of Customs duties now in force in Italy upon British trade. I am therefore to request that you will move the Chamber of Commerce of Dundee to favour my Lords, at their early convenience, with any remarks which they may desire to make, both as to the influence of that tariff upon the branches of trade in which they are specially interested, and as to the nature of the alterations in it, which are required to place them upon a satisfactory footing.—I am, Sir, your obedient servant, *J. Emerson Tennent.*"

1170. Did you, in consequence of receiving that letter, take steps for obtaining information from your constituents, the merchants engaged in the linen trade?—I was instructed to look into the Italian tariff, and report to the directors; I did so, and made up a scale; this scale shows the present duties on the one side, and on the other what the trade consider would be a fair duty for the purposes of intercourse with Italy.

1171. Did you, in consequence of obtaining that information, send a memorial to the Board of Trade, and also send a copy of it to the Foreign Office?—We had this schedule (*producing a paper*) made out, and we sent it out to the trade to obtain their sanction to it; and after that we sent a copy of this schedule to both offices; to the Board of Trade, and to the Foreign Office.

1172. Was the purport of that schedule, and the communications that went with it, a statement of your opinion, that jute and linen ought to be put in an equal proportionate position?—Yes; I have some extracts here from my letters; the first is dated 4th July 1862. "To Sir J. Emerson Tennent:—It has to be remarked, that no change has been proposed on the present duties on linen yarn, and linen cloth, but I have been instructed to call particularly to your attention the fact, that in the present tariff of Italy the products of jute, namely, yarns, cloth, and carpeting, are not even mentioned, and, therefore, whatever duties may be fixed, it is absolutely necessary under any changes that may take place, this large and growing trade should specially have a place in the tariff of Italy. Looking at the present rate of duties on linen yarn, and linen cloth as workable, the Directors of the Chamber have adopted duties on the products of jute fully as high in proportion to the low value of jute, in comparison with linen."

1173. Having sent that memorial, with the documents connected with it, did you hear any thing from the Government before the Franco-Italian Treaty was concluded?—Not as to whether our memorial would receive attention.

1174. You received no information from them?—We

—We afterwards adopted another memorial, which I may, perhaps, be allowed to put in.

1175. What is the date of it?—The 20th of May 1863.

1176. Was the next fact that you were acquainted with, with regard to the jute trade into Italy, information from the Government that the Franco-Italian Treaty was concluded?—I had several interviews at the Board of Trade in reference to the treaty with Italy, and communications which just kept up the question, as it were; but I had no definite information until I learned that the Italian Treaty, by which we got only the most favoured nation clause, was concluded.

1177. When had you a copy of that treaty sent to you?—I do not, at the present moment, recollect the date; it was immediately after the signing of the treaty.

1178. About what time was it?—It must have been early in this year, I think.

1179. You mean early last year, do you not?—I cannot tell; it was soon after the signing of the Italian Treaty.

1180. Was it in consequence of hearing that such a treaty was concluded, that you sent another memorial to the Board of Trade?—Yes; it was early in 1863.

1181. Am I right in supposing that between your sending in the memorial of July, and your obtaining the information from Government that the Franco-Italian Treaty was concluded, you received no definite information?—No, I did not.

1182. In consequence of receiving from the Government information that the Franco-Italian Treaty was concluded, and being informed that they put jute in a different proportionate position from linen, did you make any representation to the Government?—Yes; in the first place I called at the Board of Trade, when I was in London, and showed them a draft of our memorial, and then I was recommended to send it in, which was done. It was sent from Dundee to the Right Honourable Milner Gibson, on the 20th of May 1863. The memorial begins by stating the duties; it then goes on to say, "Looking at the low value of jute yarns and jute cloth in comparison with linen yarns and linen cloth, the directors of the Dundee Chamber of Commerce beg respectfully to propose that the following classification and duties be arranged in any treaty that may be entered into between this country and Italy on the importation of jute yarns and jute cloth into Italy. These duties have been calculated in proportion to those to be exacted (stated as above) on linen manufactures. This arrangement would then place the products of jute on a similar footing as the products of flax, namely,"—and then the same duties are repeated as they were originally sent in, and this document is signed, "*W. W. Renny*, President; *William G. Don*, Vice-President."

1183. In consequence, then, of receiving information from the Government that the Franco-Italian Treaty was concluded, and finding by that treaty that it put jute in a different position from linen, you sent a memorial to the Government, pressing upon them that, in any treaty that might be made with this country by Italy, that fault should be remedied?—Yes; that jute should be put upon a fair footing.

1184. Did you understand that Mr. Mallet was sent by the Government to Italy, in order to make representations with regard to an English Treaty with Italy, after you sent up your memorial?—I saw it in the public newspapers that Mr. Mallet had been in Italy.

1185. Were you officially informed that he went to Italy?—No.

1186. You simply knew it from public sources?—Yes. I may say, also, that I knew from Mr. Mallet himself that he was probably going to Italy.

1187. Did you communicate with Mr. Mallet, and give him information?—I had a meeting with him at his office, and Mr. Mallet went into the matter very closely. I gave him a set of samples; and afterwards he wrote to me, wishing to have possession of the key of a box which I left in London, so that, if necessary, he might take it with him to Italy.

1188. The result of his mission to Italy has not been the removal of the duty you complain of. I think you have stated already that jute is still in a worse position than linen?—Yes.

1189. Are you not aware that the Franco-Italian Treaty was not sent to your Chamber until the treaty itself had been concluded, and the terms upon which that treaty was concluded (that is, the revision of the Italian Tariff, which had been necessary before this treaty could have been made), known in Italy?—I believe I did not receive this Franco-Italian Treaty until everything was settled. I did not know the terms of it until it was definitely arranged.

1190. Mr. *Layard.*] When you say "arranged," do you mean concluded?—Concluded just as I find it in this document.

1191. *Chairman.*] How was the treaty communicated to you?—It was sent to me by the Board of Trade or the Foreign Office, at this present moment I cannot say which; I received it from the Government; it was officially sent to me.

1192. You have already stated that you consider that there are very few linen manufacturers in Italy whose interest the Italian Government would think it necessary to protect?—Very little; they principally manufacture hemp.

1193. You are not aware of any jute manufacture?—I am sure that there is none.

1194. Can you suppose that the Italian Government would have objected to put jute in the same position as linen, if they had been informed previous to the revising the Tariff for the Franco-Italian Treaty of the position of the jute trade?—I cannot conceive so; my opinion upon that point is the same as that which I expressed in writing to Sir John Ogilvy on the 27th of February 1863.

1195. If you hold it still, will you give that opinion?—"As to Italy, however, and other countries, we should do everything in our power, if treaties are to be made, to get low duties imposed on our own manufactures. In consequence of jute products not being in the Italian Tariff at the present time, when either jute yarn or jute cloth is sent to Italy, they are charged the duties on linen yarn and linen cloth, as the case may be; and therefore, although the present duties on linen yarn and linen cloth are not excessive, this duty being charged on articles (jute products), only one-half, or in some cases one-fourth their value, at the same time increases the duties on them to a similar extent. Besides not appearing in the tariff, they are liable to be stopped by Custom House officers altogether. The duties filled up in the table as against jute products, are therefore

Mr. *R. Sturrock.*

7 June 1864.

therefore linen duties, and you will perceive twice or three times as high as we propose. In foot note (1), you will see that we propose 'no change' on linen; and if the duties stated on jute fabrics were to be agreed to, then jute goods would just be charged in a like ratio as they themselves (the Italians) charge on linen goods. This certainly appears a reasonable request, and to which no objections could be made. The French cannot object to having the power of sending in their jute goods cheaply, and we do not at all object to compete with them on this point. I mention this, because if the French are to have the benefit of the 'most highly favoured nation' clause, and we were to get Italy to adopt lower duties on this particular trade, then the French have no reason to object."

1196. Do you not suppose that the reason why jute was not put upon the same position as linen in the Italian tariff, and that, instead of its being put in the same position, a reference was made to the Franco-Belgian tariff, was ignorance of the jute trade on the part of the framers of the Italian tariff?—I think it can only have arisen from that.

1197. You cannot imagine that there was any Italian interest which would have made representations to the Italian Government that preference ought to be given to Italian manufactures?—It is impossible; they have none.

1198. Have you been informed that the reason why you did not obtain redress when, after the conclusion of the Franco-Italian Treaty you made representations to the Government, and Mr. Mallet was sent out, was not that there was any especial Italian interest which required protection for the jute trade, but that it would have been found necessary, in order to give you redress, to re-open the whole question of the tariff, and the Italian Government declined to do that?—Of course that is a point upon which I am not sufficiently informed to be able to give an opinion.

1199. Were you not, when you made representations to the Government, informed that that was the case?—I cannot say that that was so.

1200. You were simply informed that no alteration could be made?—I then learned that our views had not been carried out.

1201. Have you not some reason for believing that there would have been a feeling in Italy in favour of the import of jute at low prices; you have already stated that there was no Italian interest engaged in its production?—When the Exhibition was held in London, the Secretary to the Royal Italian Commission at the International Exhibition sent the following letter to the Dundee Chamber of Commerce: "London, 21 January 1863. Sir,—I have the pleasure to forward you, by order of the Royal Italian Commissioner, 20 copies of the Italian Descriptive Catalogue for distribution among the members of the Dundee Chamber of Commerce, in the hope that they may tend to develop your trade with Italy. I have the honour to be, sir, your most obedient servant, by order, *W. P. Jervis.*" In reply to that I wrote the following letter: "26 January 1863. Sir,—I have had the honour to receive your communication of the 21st instant, along with 20 copies of the Italian Descriptive Catalogue. The President of the Chamber desires me to thank you for your handsome gift. I have to call the attention of the Italian Government particularly to a large trade carried on in Dundee, namely, the jute trade. The manufactures made from jute are particularly adapted for pack-sheets, sackings, and all kinds of bags, and for an agricultural country would furnish all these requisites at a very cheap cost. Samples are enclosed, and prices marked, which will show this; for particulars see other side. With reference to these manufactures, I have to point out that in the present tariff of Italy they are not even mentioned, and that, in consequence, being charged as linens, their import into Italy is virtually prohibited;" that is perhaps a strong expression; they were not prohibited, but it was a very excessive duty. "In any new tariff with this country, in order to advance trade, as you earnestly hope, the duties will require to be so arranged as to bear some moderate proportion to the value of these manufactures, and I have no doubt that a large trade would gradually grow up. If a moderate duty was fixed, not only would a trade spring up, but the agricultural interest of Italy would be benefited and the revenue increased. The President of the Chamber trusts you will bring this important matter—both for this district and for Italy—before the Minister of Agriculture and Commerce, and all information will be most cheerfully provided.—I have the honour to be, yours most respectfully (signed) *Robert Sturrock*, Secretary.—P. S. A large variety of carpetings are also made from jute. Samples are herewith sent."

1202. That was written before you were informed that the Franco-Italian treaty was concluded?—Yes. Then there is another letter still from the same gentleman, the Secretary to the Royal Italian Commission.

1203. After the receipt of your last letter?—Yes. He replied to my letter: "London, 10th February 1863.—Sir, In reply to your letter of the 26th ult., which would have received earlier attention but for the absence of the Royal Commissioner in Turin, I am directed to return you the best thanks of the Italian Commissioner, and to state that he would be deeply indebted to you if you could extend your labours so generously volunteered in promising this information by obtaining some proper exhibition sized samples of jute manufactures, which might be placed as prominently as possible before the public in the National Trade and Industrial Museum at Turin, established within the last few months, to encourage the introduction of the most approved manufactures from various countries into Italy. If these samples were prepared within a fortnight or three weeks, I could agree to their being sent from London to Turin at the expense of the Government, as I am about to ship other goods for the Museum. The reason why jute manufactures are not mentioned in the tariff of Italy is because they are but a very unimportant item of import as yet; but as you are desirous of extending the trade in this beautiful article, I cannot but think that, by a proper display of samples from several of the leading manufacturers in Dundee, there would soon be a large demand for it in Italy, and I should have the greatest pleasure in forwarding your views as far as I could."

1204. Do you not think, from this information which you have obtained, and is it not the opinion of your Chamber of Commerce, from the information that they have obtained, that if representations had been made by our Government to the Italian Government at the time they were revising their tariff, jute would have been put in a better position than it is now?—I should think

so,

so. One of our largest spinners, who had a very capital display of linen and jute yarns in the Exhibition, came to me one day and gave me some letters which he had obtained from the Italian Commissioners, requesting him to allow them to have his samples. I can produce the letters if it is required.

1205. Am I right in supposing that you found that opinion, first upon the fact that linen is put into a better position than jute, and, secondly, upon the fact that you cannot imagine that there would be any interest in Italy that would wish to put jute in a worse position than linen, and, thirdly, upon your belief that there is no jute manufacture in Italy, and that there is a wish, upon the part of the Italians at any rate, to have jute goods imported into Italy?—Yes, decidedly.

1206. Were you officially informed that a gentleman was sent over by the Italian Government, in the course of the year 1862, to obtain information with regard to the Italian tariff?—No, I was not officially informed; but I learned at the Board of Trade, in the course of conversation, that a gentleman had been in London.

1207. Would your Chamber have been glad to put themselves in communication with such a gentleman, in order to give him information with regard to the jute trade, if they had had the opportunity given to them?—Yes, very much so, and also to have given him samples.

1208. Did you, in consequence of a speech of the Honourable Under Secretary of Foreign Affairs, in 1863, believe that your Chamber would be consulted before the revision of the Italian Tariff was completed?—Yes, I recollect noticing it. In the letter which I wrote to Sir John Ogilvy, dated the 12th of February 1863, there is this passage: "When the enclosed table" (that is the enclosed table which I have already shown the Committee) "was made up, we, of course, had no idea what duties the Government of Italy were to adopt; but Mr. Layard said on Tuesday, 'that before any treaty should be made with the Italian Government, the tariff would be referred to the various Chambers of Commerce throughout the country, and that our Government would be only too well pleased to receive reports from them on this subject.' Should this be done it is all right, because if the jute trade is either not mentioned at all, or the duties are too high, we can then remonstrate."

1209. You have already stated, in answer to my question, that you supposed that you would have been consulted before the Italian tariff was completed?—Yes.

1210. Am I to understand from that, that the Chamber of Commerce supposed that their opinion would have been consulted before the tariff was completed, and made known in Italy to the Italian manufacturers?—Before the treaty was completed between England and Italy.

1211. Was there any special tariff between England and Italy; was not it rather a general revision of the Italian tariff preparatory to their treaty with France?—I certainly always understood so.

1212. Have you made any representations to the Government with regard to the jute trade in other countries, in the Zollverein for instance?—We made up a schedule, in the same way as was done in the case of Italy, which we forwarded to the Government, and we also forwarded a memorial to the Board of Trade and the Foreign Office, in reference to the jute trade with the Zollverein.

1213. Do you know whether that memorial has been made use of during the revision of the new prospective tariff in Prussia, preparatory to the coming into operation of the treaty between France and Prussia?—I really do not know.*

1214. You do not know whether it has been made use of or not, but you sent it in order that it should be so made use of?—Yes; I have a copy of it here.

1215. Will you hand it in?—I will. (*The same was handed in.*—Vide *Appendix.*)

1216. Have you written to the Board of Trade and the Foreign Office respecting the admission of jute into Russia?—Yes.

1217. To which office did you first write?—I think it was to the Foreign Office.

1218. Have you the correspondence with you?—I have the result of the correspondence; I have here the replies received from the Foreign Office and the Board of Trade. The first letter is one from the Foreign Office, dated 21st of November 1862.

1219. That is in reply to an inquiry of yours, is it not?—Yes.

1220. Did you apply to the Foreign Office to know what the duty upon jute imported into Russia was?—Yes; and this is the reply we had, after a certain time had elapsed.

1221. Upon what date did you apply?—I cannot tell; unfortunately, I have not got the dates with me.

1222. What was the date of the answer from the Foreign Office?—November 21st, 1862.

1223. What was their reply? — "Foreign Office, 21st November 1862. Sir,—With reference to the memorial from the Dundee Chamber of Commerce of the 23d of September last, on the subject of the proposed introduction of jute bagging into Russia, I am directed by Earl Russell to inform you that the British Vice-Consul at St. Petersburg has inquired into the subject, and has reported to Her Majesty's Ambassador that all manufactures from bark and grass of all kinds are, by the Russian Tariff (§ 26), admitted into Russia free of duty. The Vice-Consul adds the Imperial Government have no interest in protecting the manufacture of matting, but expresses his opinion that jute manufactures could not be profitably introduced into Russia, owing to their high price as compared with the bark matting, which answers the purposes for which it is used.—I am, Sir, your most obedient, humble servant, *E. Hammond.*"

1224. Then the result of that communication was that you supposed that jute would be admitted upon the same terms as grass?—Yes, because jute really is a grass.

1225. That was the result of that communication?—Yes; but we had a different letter the next day.

1226. What was the purport of that letter?—"Foreign Office, 22d November 1862. Sir,—I am directed by Earl Russell to state to you, for

* On returning to Dundee from London, I found that my memory had been treacherous, and that I had overlooked a letter from the Foreign Office, dated 2d July 1862. The answer *should have been*—"I received a letter from the Foreign Office of date 2d July 1862, which stated that Her Majesty's Minister at Berlin has communicated to the Prussian Government a copy of your memorial on the trade in jute manufactures, and has, in reply, received an assurance that the subject shall be brought before the Conference of the Zollverein States, which is to meet when the treaty between France and the Zollverein is definitively signed."

Mr. *R. Sturrock.* 7 June 1864.

for the information of the Dundee Chamber of Commerce, that since my letter of the 21st instant was written, a further despatch on the admission of jute into Russia has been received from Lord Napier. From this despatch it appears that, though the British Vice-Consul is correct, according to the letter of the Russian Tariff, in stating that jute bagging, being a manufacture from grass, should be admitted into Russia free of duty, this might, nevertheless, not be the case in practice; and it is apprehended that, as there are several manufactures of jute, the article might be taxed according to its colour and the number of threads to the square inch. To provide for such a state of things, a suggestion has been made that the Dundee Chamber of Commerce should prepare labelled and sealed specimens, in triplicate, of the various qualities of jute manufactures which it is proposed to introduce into Russia; that one set of samples should be retained by the Chamber, one by Her Majesty's Embassy at St. Petersburg, and the third presented through the Embassy to the Imperial Custom House, with a request that that department would state distinctly what duty goods similar to those samples would have to pay, or whether any could be admitted duty-free. I am to state to you that, if the Dundee Chamber of Commerce should be disposed to adopt this suggestion, Lord Russell would be glad to give effect to it through Her Majesty's Ambassador. —I am, Sir, your most obedient, humble servant, *E. Hammond.*"

1227. Was the result of that correspondence that, the day after you received the first letter stating that it could be admitted at the same rate as grass, you received a letter stating that it could not?—That was the impression left upon my mind.

1228. Did you have any correspondence with the Board of Trade?—Yes. On the 27th of November, that is, five days after the second letter from the Foreign Office, I had the following letter from the Board of Trade: "Office of Committee of Privy Council for Trade, Whitehall, 27th November 1862. Sir,—With reference to the memorial addressed to this Board on the 23d of September last, I am directed by the Lords of the Committee of Privy Council for Trade to acquaint you, for the information of the Council, that they have ascertained from Her Majesty's Minister at St. Petersburg, that 'jute bagging' is already admitted into Russia free of duty.—I am, Sir, your obedient servant, *J. Emerson Tennent.*"

1229. That was in accordance with the first letter from the Foreign Office, was it not?—Yes.

1230. Not in accordance with the second letter from the Foreign Office to you?—Certainly not; at least, I may be wrong, but my impression was that it was quite opposite to the second letter from the Foreign Office.

1231. But it was dated five or six days after the second letter from the Foreign Office, was it not?—Yes; the one was dated the 22d, and the other the 27th of November.

1232. Did you receive another letter from the Board of Trade?—Two days afterwards I received another letter from the Board of Trade, dated the 29th of November, in fact conveying, almost *literatim et verbatim*, the same information as was contained in the second letter from the Foreign Office.

1233. To which office do you apply when you have any representation to make to the Government with regard to commercial matters; to the Foreign Office, or to the Board of Trade?—Unfortunately, I am obliged occasionally to apply to both, for upon the same subject I receive a communication from the Foreign Office one day, and from the Board of Trade another; it depends upon circumstances whether I apply to one or to the other.

1234. Would you prefer having to communicate with one office only?—Certainly; I find the present arrangement very disagreeable and very harassing.

1235. Without giving an opinion as to which office you would prefer, would you prefer having to communicate with that office whose business it is to decide upon and carry out your representations?—Decidedly.

1236. Mr. *Pender.*] Do you consider that it ought to be the duty of any person representing trade in the Foreign Office to be acquainted with the trades that are being developed, and the circumstances of a new trade such as the jute trade, which is coming forward, with a view to bring it before the notice of Foreign Governments, in the event of new tariffs?—I consider that it is our duty, as being thoroughly acquainted with the trade, to place the information before the Government.

1237. Having placed the information before the Government, do you feel aggrieved when treaties are completed, and no notice is taken of that particular trade being developed?—Unless our views are to be made some use of, there is no use in our sending them to the Government at all.

1238. In the present instance, with regard to this jute trade, which is now becoming such a very large trade, you feel that your interests have not been sufficiently protected by the Foreign Office, do you not?—I think that the representation which we made to the Government should have been made use of; it may have been made use of. Of course I am not in a position to know whether it has or has not (it may have been refused to have been entered into), but I certainly think it ought to have been made use of.

1239. Judging by the result, you think that your representations have led to nothing?—They have led to nothing, as far as we can see.

1240. Mr. *Kinnaird.*] You did not find any unwillingnes on the part of the departments to enter into the matter when you brought it before them, did you?—Not at all; I have no fault to find as regards the courtesy which I have always received from the Board of Trade and the Foreign Office. Undoubtedly, we have always received the greatest courtesy from all the officials and everyone connected with the two departments.

1241. I think in the letters which you have read from the Foreign Office, they seem to enter into the details with tolerable correctness and minuteness, do they not?—As regards Russia, I have no hesitation in saying that the Foreign Office carried through that business most admirably; they followed our advice, and carried it out excellently.

1242. Seeing that the Foreign Office has the control of the diplomatic and consular bodies, if it had a department in it specially devoted to trade, do you see any insuperable objection to its being the Foreign Office that should conduct foreign commercial business?—Not at all. All I say is that from my experience, derived from a very large correspondence

correspondence and from personal acquaintance, I find that at the present moment there is a want of organization between the two offices. It seems to me that the system might be better arranged; I think it might be put upon a better footing than it is at the present moment. I have never had connexion with anyone in reference to details except the Board of Trade; I have never had to do with a gentleman from the Foreign Office in reference to details. In Paris, as Mr. Cobden knows, the gentlemen who carried out all the details was a gentleman from the Board of Trade and one from the Customs, and they had no assistance in arranging the details from the Foreign Office.

1243. Are you aware that the Foreign Office had deputed the Board of Trade to carry out that particular matter?—Yes.

1244. The Foreign Office thought that they were facilitating the matter by handing it over to the Board of Trade; it was done to prevent delay, was it not?—Quite so.

1245. You stated that you thought that the French Treaty had produced beneficial results in Dundee, did you not?—Yes. I have stated already that the results have been very different from what we expected, inasmuch as we hoped to have had a trade from Dundee to France; but in place of that, from peculiar circumstances, we have had a trade from France to Dundee; to say that it was not of advantage I think would be absurd, because of course no trade can exist without advantage to some one.

1246. You do not attribute to any neglect on the part of any department in the State the fact of the trade not having been developed as you expected?—No.

1247. You merely take it is as a curious incident of trade?—Quite so; it is peculiar, at least it is not what we expected.

1248. Is your Chamber of Commerce constantly in communication with the departments of Government?—We have corresponded for 20 years with them.

1249. You have never had occasion to think that they have neglected the general interest of the country, have you?—Sometimes I have thought that certain queries that I put might, perhaps, have been answered a little more quickly; but as regards the courtesy and the seeming desire of both offices to do their duty, there always appears to me to be abundant evidence of that.

1250. Is that the general feeling of the merchants in Dundee?—I believe so; I have had opportunities of knowing that, and I think it is their feeling.

1251. You have not found, then, that Scotland was less attended to than any other part of the Empire?—I can only speak for myself and those with whom I am immediately connected.

1252. Mr. *Butler-Johnstone.*] What are the French jute manufactures?—They are just of the same style as our own.

1253. Where are they carried on?—They are carried on in the North of France.

1254. Is it a large trade?—It is a growing trade; it was a very small trade when we were in Paris in 1860, but the trade is increasing.

1255. You said that the Italians had no interest in preventing jute goods being admitted into Italy; have the French not an interest in preventing the Italian Government from admitting English jute goods into Italy upon the same terms as the French jute goods?—No, because we are now upon the same footing there.

1256. Is not the French interest against our jute goods being admitted upon the same terms as their own?—If both countries can send in their jute goods at the same duty, it would be merely a competition between the two.

1257. If the English jute goods were admitted at a greater *ad valorem* duty than the French, the French manufacturers would derive a benefit from it, would they not?—Yes, but that is not the case; the French and English jute goods pay exactly the same duty upon importation into Italy.

1258. What is the complaint you make then relative to the Italian Treaty, as regards jute goods?—It is this, that our linen goods in the old Italian tariffs were charged a duty which was quite satisfactory, and was thought a good duty for England. We saw that if our jute goods were not mentioned in the Italian tariff, they would have to pay the duty upon linens, though they do not cost more than a third or fourth of the value. We wanted the jute goods to be admitted in the same relative proportion, and that has not been done.

1259. Has it been done in the case of the French jute goods?—No; they pay the same duty as our jute goods. But every increase of duty of course tends to prevent consumption.

1260. Why is it that the French did not insist upon having their jute goods computed upon a different scale?—That is a question which of course I cannot answer.

1261. Would the French jute trade have been much increased by a different tariff arrangement relative to jute?—In the same way as our own, it would have tended to have enabled the Italians to use a cheap article of consumption; therefore, very likely, the trade would have increased in a larger ratio.

1262. What is the reason that the French jute goods have been imported into Dundee since the American war, instead of your Dundee jute goods going to France?—Because cotton, instead of being 7*d.* per lb., is now 2*s.* 3*d.*, and that has brought into play many manufactures which formerly, no doubt, scarcely competed with it at all. The French had a very small export trade themselves, and the trade in reference to linen and jute was in a bad state in France at that particular time; in the country itself the spinners had enormous stocks in their way, and prices were very low indeed; our prices, from the opposite cause, rose very high; the French merchants had no duty to pay upon importations into this country, and therefore they could pay the expense of all charges from France to Dundee, and have a very handsome profit. I know, from what I consider good authority, that French spinners, at the present time, look as much to the Dundee as to the French market. I know one house that within these few weeks has sold in Dundee 4,000*l.* or 5,000*l.* worth of goods in one week of one particular kind of article (French jute yarn).

1263. Do you refer to jute yarn, or to jute manufactured goods, as being imported from France into Dundee?—Principally yarn; but there have been manufactured goods also; the greatest amount has been yarn.

1264. Mr. *Layard.*] I think you stated that there had been a great increase of trade in Dundee in the last few years?—Yes, a very large increase.

Mr. *R. Sturrock.* 7 June 1864.

1265. Generally in the country there has been a large increase of trade in various articles, has there not?—By the Board of Trade Returns, I should say so.

1266. Therefore there is, apparently, no discouragement offered to trade on the part of the Government, either the Foreign Office or the Board of Trade?—No; I never could fancy such a thing as that.

1267. You are not aware of the object of the Italian gentleman's visit to England, are you?—Not particularly; whether it was political, or commercial, or both, I do not know.

1268. You are not aware of the nature of the negotiations which took place between the English and Italian Governments when their treaty was concluded?—Of course not.

1269. Are you aware whether the Italian Government refused to enter into any tariff negotiations?—Of course not.

1270. Do you think that the Government would have been justified in refusing to accept a treaty containing the most-favoured-nation clause (that is to say, putting this country upon the same footing as France), if the Italian Government had refused to make a reduction upon the import of jute into Italy?—Decidedly not; I would not have sacrificed the whole country for a single industry.

1271. As regards Russia, you have no reason to complain of a want of attention upon the part of the Foreign Office to your representations with respect to jute there?—Not at all.

1272. You say you prefer communicating with one office only; why did you write to the two offices, as you did in the correspondence which you have read?—For this reason: I very often receive letters from both, and, as a matter of courtesy, I like to answer letters which I receive

1273. Was not it a matter of courtesy on the part of the Foreign Office for them to go out of their way to write to you, because you had from the Board of Trade the same letter as from the Foreign Office, had you not?—I am not aware whether it was a matter of courtesy or not, because I am not aware yet whether the two offices, or which of them, should do it.

1274. It appears that you wrote to the Board of Trade, and got an answer from them?—Yes; and we wrote to the Foreign Office at the same time.

1275. Why did you write to both offices?—Because we thought it better to do so.

1276. Upon what ground?—In order that if the business could not be done by one, it should be done by the other.

1277. It appears that you had just the same answer from both?—Yes; that is what I object to.

1278. Why did you write to the two offices if you object to receiving an answer from both?—Because, not knowing the exact connexion between the two, I thought it safest to write to both.

1279. You received the same answer from both, did you not?—Exactly; that is the thing that I cannot understand, why I should have received four letters instead of two.

1280. If you had written to one office only, you would have received the answer that you wanted, would you not?—The fact is just this: there seems to me to be a double action, and I like to send them letters according to that double action.

1281. What do you mean when you speak of a double action?—It seems that both departments superintend the same business, as far as I can judge from outside.

1282. Was not it the case here that the Foreign Office having written to its diplomatic agent at St. Petersburg, and having obtained the information that was required, transmitted that information to the Board of Trade to be communicated to the commercial bodies in the country?—They wrote direct from the Foreign Office to me.

1283. Was not the information sent to the Board of Trade also?—What the Foreign Office sent to the Board of Trade I do not know.

1284. Did not you receive the same information from the Board of Trade as you received from the Foreign Office?—Yes.

1285. I presume that you deduce from that that the Foreign Office wrote to the Board of Trade?—Yes; unless the diplomatic agent in St. Petersburg wrote to both.

1286. You do not know what the relations between the two offices are?—No.

1287. If you received the information that you required from the one office I do not understand why you wrote for the same information to the other?—I can only say that upon the same subject I receive letters, on almost the same day, from the Foreign Office and the Board of Trade asking me for information, and, having observed that, I occasionally think it is better to write to both offices, in the same way as they write to me.

1288. Do you think that it is a bad arrangement that the Foreign Office should act as the channel of communication between this country and Foreign Governments, and should then transmit the information they have obtained to another department, whose particular business it is to attend to matters of trade; not that a very natural proceeding?—If the Foreign Office were to take up the foreign trade of the country, it would be better for them to communicate at once with the Chambers of Commerce than for the communications to pass through the Board of Trade at all.

1289. Is the jute trade a trade which has arisen in consequence of the deficiency in the cotton trade?—No; its origin was not owing to that, but it has increased very rapidly since then.

1290. It is a manufacture which is very little known in Europe, is it not?—Comparatively speaking, it is.

1291. Do you think it is possible that there should be at the Foreign Office any department or any gentlemen who can be acquainted with all those minute details of manufacture and trade in England; or do you think it advisable that there should be a gentleman there to give information upon such subjects?—As regards the working of the two offices, I most respectfully and humbly say that it is a very difficult question for me to answer, because I do not know really the arrangements between the two departments. I am speaking in ignorance, really, and therefore anything that I may say must be received in that way. But, judging from what I have seen, there are certain gentlemen connected with the Board of Trade who are most efficient officers, and who are capital men for the Chambers of Commerce to communicate with. I humbly think it would be better, in place of two offices writing upon the same subject to a gentleman in the country, if the Foreign Office did it entirely, supposing that to be the office through which it is necessary that

that the foreign correspondence should pass. At the same time, if it is to be the department to look after foreign trade, I then would have a proper and efficient staff attached to the Foreign Office, and have nothing to do with the Board of Trade in reference to foreign tariffs.

1292. You say that there are very efficient gentlemen attached to the Board of Trade?—Yes, no doubt.

1293. What harm do you see in communicating with the Board of Trade if you receive the same information from them as from the Foreign Office?—We receive the same information, but it is a very complicated system. If the two offices have to write backwards and forwards to each other it must cause a delay. It is not the way in which any private business in the country is conducted; I can give an illustration of that, if necessary.

1294. Supposing a legal question arises abroad: supposing a British subject is illtreated, or his goods are taken; when that case is referred to the Foreign Office, does the Foreign Office act upon it, or does it refer to the law officers of the Crown to obtain an opinion first?—I really do not know.

1295. Do you mean to say that the Foreign Office is bound to give an opinion upon questions of law, upon questions relating to matters under the Home Office, and upon matters concerning the Army and Navy; that, in fact, the Foreign Office is bound to have a department in it which can give at once information upon every public subject?—I only speak in reference to my own department of trade.

1296. Is there anything exceptional which distinguishes trade from other questions?—It is perfectly evident that there is the Board of Trade, which is able to give information to the gentlemen in the country with reference to trade, and it is only by having trade matters attached to one office instead of the other that there may be difficulties I am not aware of.

1297. Do you mean to say that the Board of Trade should be amalgamated with the Foreign Office?—No.

1298. What is your plan, then?—I would allow the Board of Trade to look after the trade at home (and I suppose, from what I see, that they would have a great deal to do); but I think that if the Foreign Office is really going to take up these foreign duties, I then would wish to see an efficient staff there to work the whole thing out.

1299. What distinction do you draw between trade abroad and at home; surely they are so closely connected that you cannot divide the one from the other?—Then merge the whole into the Board of Trade, and let us correspond directly with the Board of Trade.

1300. You would be satisfied if the whole thing were merged in the Board of Trade, and you had only to correspond with the Board of Trade?—Yes; with one office instead of two.

1301. With the Board of Trade only?—Yes; or the Foreign Office, either the one or the other.

1302. *Chairman.*] Am I to understand, from that answer, that you would be satisfied if you felt that you were corresponding with those gentlemen who had to do the work?—Yes; to carry out the results or carry out the details.

1303. However intelligent you find the gentlemen at the Board of Trade, your objection is not to corresponding with them individually, but rather your objection is to corresponding with intelligent gentlemen who can only convey your representations to another office; you prefer corresponding with that office itself?—Yes, precisely.

1304. You would prefer finding the same intelligence in the office that does the work, as you find now in the office that does not do the work?—Yes.

1305. I suppose the French jute trade is not so large as the Scotch jute trade, is it?—It is nothing in comparison to it.

1306. You stated, in answer to a question of mine, that the duty levied upon Scotch jute goods in Italy is precisely the same as that levied upon French jute goods?—Yes.

1307. You never wished to be put in a different position from France, did you?—We have no objection to compete with France.

1308. Your only object was that jute goods should be put in the same *ad valorem* position as linen goods?—Yes.

1309. Jute imports into Italy from France were put in a different position from linen imports into Italy from France previous to the treaty, were they not?—I believe the same.

1310. Do not you suppose that if your representations, which you sent in 1862, had been forwarded by our Government to the Italian Government, and representations had accordingly been made to them of the desirableness of putting jute in the same position as linen, you would have had the assistance then of the French Government, because it would have been to the interest of the French jute manufacturers to get their jute goods admitted at a lower scale into Italy?—It is reasonable to think so.

1311. Therefore you do not suppose that there could have been any objection on the part of France to jute goods being put in the same position as linen goods?—I cannot see any.

1312. Mr. *Layard.*] This is merely a matter of your own opinion?—As a matter of course: I do not know the facts. The Italian Government may have had some reason with which I am not acquainted.

1313. Mr. *Butler-Johnstone.*] The French jute trade being a small one, and the English jute trade being a large one, and at the same time the French linen trade being a large one, if jute was put upon a worse footing in Italy than linen, would not the French linen manufacturers reap an advantage as against the English jute manufacturers?—I do not see why they should.

1314. *Chairman.*] Is there no competition between jute and linen?—To a certain extent there is.

1315. Mr. *Butler-Johnstone.*] In every country there is that competition?—Yes.

1316. Where jute is upon less favoured terms than linen in a tariff, would not the advantage redound to the benefit of the French linen manufacturer as against the English jute manufacturer?—The duty is the same in both cases.

1317. *Chairman.*] Do you suppose that the jute being put upon the same footing as linen would be a cause of the diminution of the export of linen goods to Italy, or any other country?—No doubt the dearer you make jute the more it will increase the consumption of linen.

1318. Mr. *Butler-Johnstone.*] Then the French linen manufacturers have an interest in preventing English jute manufacturers from coming into competition with their linen?—It is quite possible; at the same time, practically, they ought

Mr. *R. Sturrock.*

7 June 1864.

not to do so, because they do not interfere much with each other now.

1319. *Chairman.*] Is that a feeling which is ever felt by the linen manufacturers, as compared with the jute manufacturers, at Dundee?—Never.

1320. Mr. *Charles Turner.*] Is not jute used for the same purposes as flax and hemp?—The fact is that formerly there were certain articles, such as bags and sacking and pack-sheets, which were entirely made of flax and hemp; but the consequence of the introduction of jute is that that has altogether ceased to be the case, and they are now made entirely from jute.

1321. Is not jute imported exclusively from Calcutta?—Altogether from India.

1322. How do you account for jute being bought in this country, on French account, taken to France, and manufactured in France, and then exported again to Dundee, in competition with jute coming direct to this country?—The French, previously to the Treaty of 1860, had a very bad system. They had a very large and heavy import duty upon jute coming from entrepôts such as London. The consequence was that the French spinners had to import direct from India, but in the French Treaty the Emperor very wisely knocked off this heavy duty, and now the French spinners get their jute principally from London. Of course London imports the jute direct from India; and the consequence is that, as the jute-spinners at Dundee are 400 miles from London, and as the distance to France is not so great, the French spinners can get a bale of jute put down as cheaply in Dunkirk or Lisle as we can in Dundee. I wish to hand in the memorial and the schedule to which I have referred in speaking of the Italian Treaty.—(*The same were handed in.*—Vide *Appendix.*)

JOHN EVANS, Esq., called in; and Examined.

J. Evans, Esq.

1323. *Chairman.*] YOU are engaged in the manufacture of paper, are you not?—Yes; our house is that of Messrs. John Dickinson & Co., one of the largest in the paper trade.

1324. There is an association of papermakers, is there not?—There has been one formed of late years, of which I am the chairman.

1325. To watch over the interests of the paper trade?—Yes, exactly.

1326. Is not the trade with which you are connected interested in the fiscal regulations of other countries?—Perhaps more so than any other, because we derive a considerable portion of our materials from the Continent, and the price of the whole of our materials of home production is regulated by the price at which we can obtain them abroad.

1327. There is a heavy export duty levied on rags by most Continental tariffs, is there not?—There is; and in consequence of that duty foreign manufacturers procure their materials at 25 or 30 per cent. lower than we can, whilst, in consequence of the enactments in accordance with the treaty with France, foreign paper is admitted into this country duty-free, and we are thus exposed to a most unfair competition.

1328. You were not informed, I think, either by the Board of Trade or the Foreign Office, of this probable position in which you would be placed by the treaty?—No; I am not aware that anyone in connection with the trade received any information whatever as to what was going to happen to the trade in consequence of the French Treaty, until after its arrangements had been, if not completed, at least agreed upon.

1329. I need hardly ask you whether you consider the position in which you were placed by the French Treaty to be a disadvantageous position?—Certainly.

1330. Since you were placed in that position, have you made representations to the Government to do the utmost in their power to lessen this export duty upon rags?—At the time of the treaty being concluded, I think there was an absolute prohibition on the export of rags from France. Since that time that prohibition has been removed, and a very high duty, which often amounts to a prohibition, has been substituted for it. We have made representations to the First Lord of the Treasury, the Foreign Office, the Board of Trade, and the Committee of the House of Commons which sat upon the question, but up to this time no beneficial results have ensued.

1331. What was the recommendation of that Committee?—The recommendation of the Committee was, that the British Government should continue to make strenuous exertions to effect the removal of all restrictions abroad upon the export of all papermaking materials.

1332. What steps have been taken by the British Government (I suppose I must say by the Foreign Office) in accordance with this recommendation?—I am unable to say with certainty what steps have been taken. I understand that certain circulars, which were drawn up by the Board of Trade, have been sent round abroad by the Foreign Office, but we have had no results up to the present time.

1333. Was not it the case that the Chancellor of the Exchequer, in his speech in bringing forward the Budget, stated that the evil would be removed as far as France was concerned?—He stated that some concession with regard to those duties would be made by France; but on my inquiring at the Board of Trade at the time, they knew nothing about the matter alluded to by Mr. Gladstone, and up to the present time I have received no information from them upon the subject.

1334. Am I to understand from that, that either Mr. Gladstone must have made that statement without having received information from the Foreign Office, or that, if he did obtain such information, it did not reach the Board of Trade?—I am unable to say whether he derived his information from the Foreign Office or not. I inquired at the Board of Trade, and the Board of Trade could give me no information upon the subject; and I believe they have heard nothing upon the subject up to this time from the Foreign Office.

1335. Have you applied yourself to the Foreign Office upon the matter?—I have not applied since the speech of the Chancellor of the Exchequer. I had previously been to the Foreign Office in the course of the spring, and found that Earl Russell was so thoroughly unacquainted with the subject that I thought it needless for us to apply again.

1336. Do you consider that any revision of tariffs by any foreign country requires a special watching by our Government on behalf of your interests?—As far as our interest is concerned, speaking of the papermakers' interest, I consider that it wants watching most closely, for, apparently, it will only be under a most-favoured-nation clause that we shall ever get redress from the grievance of which we complain.

1337. You consider, do you not, that you are at present in a disadvantageous position on account of the bonus that is given by Foreign Governments to the raw material of your article of manufacture?—The export duty upon rags, by restricting the sale in those countries where it is levied, acts as a bonus upon the exportation of paper, and we are therefore compelled to compete with paper produced from material purchased at a price of 30 per cent. less than that which we have to pay.

1338. A treaty has been lately concluded between this country and Italy, putting our trade with Italy in the same position as the trade of Italy with France: is the export duty in any part of the kingdom of Italy increased from what it was before Italy became a kingdom?—We were informed by the Board of Trade at one time, and by the Chancellor of the Exchequer in his speech upon the Budget, that under the treaty with Italy the duties upon rags would be abolished: the fact of the case is that, so far from their being abolished, they have been doubled in those parts of Italy from which we derive our supplies of rags.

1339. Which part of Italy is that?—Sicily, and some other parts of the old kingdom of the Two Sicilies.

1340. Did you import rags largely from that part before the treaty?—There was a large exportation of rags thence, but they principally went to America.

1341. So far as that part of Italy is concerned, you have been put in a worse position since the Sardinian or Piedmontese tariff applied to the whole of Italy than you were in before?—Yes, certainly.

1342. Did the Board of Trade or the Foreign Office inform you, in the course of the year 1862, that the Italian Government was revising its tariff for the kingdom of Italy?—We received no official information of it, but I was aware that that was the case.

1343. Were you officially informed that a gentleman was sent over by the Italian Government?—No, I was not informed of it, nor was I aware of it.

1344. You, as the Chairman of the Papermakers' Association, would have been glad to have been put in communication with such a gentleman, would you not?—Yes, certainly.

1345. Do you know whether it was found too late to do anything with regard to paper in 1863, when the Government made representations, after the Franco-Italian Treaty was concluded, and sent over Mr. Mallet to Turin?—I understood that it was too late.

1346. Generally speaking, do you, when making your representations in the interests of trade, apply to the Foreign Office or to the Board of Trade, or to both offices?—I have generally gone to the Board of Trade, but on two or three occasions we have gone up as a deputation to the Foreign Office.

1347. Mr. *Somerset Beaumont.*] Whom did you see at the Foreign Office, when you state that you found Earl Russell so thoroughly unacquainted with the subject?—It was Earl Russell himself.

1348. Why did you go to the Foreign Office instead of to the Board of Trade?—We have been to the First Lord of the Treasury, we have been to the Chancellor of the Exchequer, we have been to the Board of Trade, and we have been to the Foreign Office; in short, we have been to every branch of the Government, in hopes of getting some redress from what we consider the most unfair position in which our trade is placed. It was in order that we might leave no stone unturned that we went to the Foreign Office.

1349. When you go to the Foreign Office do you always see the same Minister?—I have been there only on two occasions, and therefore I am not able to answer the question.

1350. You also stated that the Chancellor of the Exchequer had told you that the export duty upon Italian rags would be abolished?—It was so reported in the report of his speech in introducing the Budget.

1351. You did not hear that from him himself?—I did not hear it from him himself; but I have no doubt that he said so, and that it was under misinformation that he made that statement.

1352. Mr. *Butler-Johnstone.*] When you heard that an Italian representative had come over to obtain information with regard to the Italian Tariff, did you take any steps to have communications with him, or was there any desire to have direct communication with him?—I did not hear that he had been sent over.

1353. If you had heard that such a gentleman was over in England, would you have taken any steps, or wished to have had personal communication with him?—That is a hypothetical question; but if we had had the slightest idea that there was any possibility of the duty on rags being raised, we should at once have put ourselves in communication with him.

1354. But you did not feel that the fact of an Italian gentleman being over here on matters of tariff gave a right to any Chamber of Commerce to have direct communication with him?—I was not aware of his being over here, and therefore formed no opinion upon the subject.

1355. Mr. *Somerset Beaumont.*] Have you any knowledge of the foreign rag trade?—I am a large consumer of foreign rags.

1356. Have you any reason for supposing that the export duty upon rags from any foreign countries would or might be abolished, if more earnest representations were made to the Foreign Governments by whom they are levied?—I have a very strong opinion that if, in the negotiation of the treaty with France, it had been made a condition of our free admission of French paper into this country that they should have given us free-trade in rags, such a matter might have been carried out.

1357. You are not of opinion, then, that the paper manufacturers are so much opposed to the export duty being reduced in some foreign countries, that what you complain of might not be removed if proper representations were made?—At that time we had something that we could have given them in exchange for the exportation of rags, namely, the importation of paper into this country.

1358. Mr. *Layard.*] You are not aware, I presume,

J. Evans, Esq.

7 June 1864.

presume, of the negotiations which have been going on between Her Majesty's Government and foreign Governments with regard to rags?—I have had no official information; I know that some have taken place.

1359. You cannot say that there has been no attempt on the part of the Government to facilitate the importation of rags?—Certainly not.

1360. What do you mean by saying that Earl Russell was unacquainted with the whole subject?—I will tell you how I saw that he was so thoroughly unacquainted with the subject. After I had spoken to him for some time, explaining the state of affairs, he asked me how it was that French papermakers could produce paper cheaper than we did, when he knew, or ought to have known, that the French got their materials 30 or 40 per cent. cheaper than we did.

1361. Was that the proof of his ignorance?—It was a proof of his unacquaintance with the subject.

1362. You say that because he asked you how it was that the French manufacturers could make paper cheaper than English manufacturers?—Yes; the question with regard to the lowering of the rag duties abroad has been brought under the notice of Her Majesty's Government and Earl Russell, time after time. Therefore, when I found that, notwithstanding its having been brought in that repeated manner under his notice, he asked me this question, it appeared to me to be evident that he had not taken in at all the bearings of the case.

1363. Then you found your charge of ignorance against Earl Russell upon the fact of his asking you why the French manufacturers could make paper cheaper than the English?—I do not bring a charge of ignorance against Earl Russell; I only say that I found his Lordship quite unacquainted with the facts of the case, notwithstanding our having brought it under the notice of the Government and himself repeatedly in the course of the last few years.

1364. You found your opinion of Earl Russell being thoroughly unacquainted with the subject entirely upon the fact of his having asked you why the French manufacturers could make paper cheaper than we?—Partly upon that, and partly upon other things.

1365. Have the French any treaty, as regards rags with any other country, more favourable than we have?—They have not that I am aware of.

1366. Then, if there is no difference between their rag import trade and our rag import trade, that appears to be a very pertinent question which he asked you, namely, why they should make paper cheaper than we?—Excuse me; I am afraid that you do not quite understand the circumstances. The case is this: America is in the market constantly buying rags. She buys rags in England free of duty, and she buys rags in France upon which she has to pay an export duty. In consequence of that the price of rags is always lower in France than it is in England, by the amount of the export duty.

1367. Then your opinion is that we ought to place a duty again upon rags?—Upon paper, rather. It is a question which seems to me to be rather beside the object of my coming here; but it is my opinion that our present course of proceeding is to encourage this system of placing export duties upon rags, inasmuch as we have placed the French manufacturers in the full possession of the benefit derived from their protective system. We must encourage the continuance of the protective system, because we have given the French manufacturers the full advantage of their protection.

1368. I wish to ascertain upon what ground your charge is founded against the Government: do you complain of the Government for not obtaining for you this reduction of the foreign export duty on rags, or do you complain of the Government for not putting a duty upon the export of rags, so as to give you a more favourable position in the market than you now have; which is your complaint?—My complaint is that in the negotiation with France, which was the root of this mischief, our interests were not sufficiently regarded. I saw Mr. Cobden in Paris.

1369. Is not it the fact that the doubt as to Mr. Gladstone's statement, to which you alluded as being made in introducing the Budget, is connected with a doubt as to the construction of the treaty between Italy and France; is not there some doubt as to the construction of that treaty with reference to rags?—The mistake no doubt originated in that. There was no mention of rags in the tariff, and therefore it was supposed that the duty had been abolished. Instead of that, the Italians reserved to themselves the right to put any duty they pleased upon rags.

1370. Is it not still doubtful?—I have seen the reply from our Minister in Italy, and he says there is no doubt upon the point.

1371. At one time it was thought, both in England and in France, that there was no duty in Italy, was it not?—It was thought so in England; I cannot say as to France.

1372. It arose upon a question of the construction of the treaty, did it not?—It did.

1373. *Chairman.*] Your idea that Earl Russell was unacquainted with the subject arose, did it not, from the fact that you had sent information to the Government, showing that the French manufacturer had his raw material at a cheaper price than the English manufacturer, in consequence of the export duty upon rags; and you were surprised therefore that Earl Russell should ask you why the French manufacturer could make paper cheaper?—Yes, exactly; it amounted to that.

Veneris, 10° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.	Mr. Milner Gibson.
Mr. S. Beaumont.	Mr. Gregory.
Mr. Butler-Johnstone.	Mr. Henley.
Mr. Cobden.	Mr. Kinnaird.
Sir Minto Farquhar.	Mr. Layard.
Mr. S. FitzGerald.	Mr. Pender.
Mr. W. E. Forster.	Mr. C. Turner.

WILLIAM EDWARD FORSTER, Esq., in the Chair.

EDMUND HAMMOND, Esq., called in; and Examined.

E. Hammond, Esq. 10 June 1864.

1374. *Chairman.*] You are, I believe, the permanent Under Secretary for Foreign Affairs?—I am permanent Under Secretary.

1375. How long have you been in that position?—I have been Under Secretary rather more than ten years, and I was for rather more than thirty years before that a clerk in the Foreign Office. Altogether, my service is rather longer than forty years.

1376. What is the precise position of the permanent Under Secretary?—The permanent Under Secretary and the Parliamentary Under Secretary are exactly on the same footing in the office; there is no distinction between them except in permanency.

1377. Is not there the distinction of the different countries being divided geographically?—Yes, we divide the world between us. I can give the division, if necessary.

1378. Are the clerks in the Foreign Office apportioned according to this division?—Yes. I could best explain the working of the Foreign Office by reading a passage from the evidence which I gave before the Diplomatic Committee. "The staff of the Foreign Office consists of a Secretary of State, two Under Secretaries of State, one of whom is a permanent officer, while the other is changeable with each successive Administration; an Assistant Under Secretary of State, who is also a permanent officer; and clerks in their several classes, and with their several attributes, as now to be described:—1st. A chief clerk, who, under the general control of one or other of the Under Secretaries of State, though mainly under that of the permanent one, looks to all matters connected with the general and financial affairs of the office, and, among other details, prepares the commissions of consuls, and controls the issue of passports, but he takes no part either in the political or commercial business of the office. 2d. Eight senior clerks, each managing a separate division of the office, one of whom superintends the correspondence with Her Majesty's consuls, with the exception of those in China, Japan, and Siam; another superintends the slave-trade correspondence; and the remaining six, the political and commercial correspondence of their respective divisions. 3d. Eight assistant clerks, of whom one is attached to each of the divisions, and whose duty is more immediately to assist the senior clerk, and to act for him in his absence; twenty-five junior clerks, who are assigned in nearly equal proportions to each of the divisions. These forty-one clerks carry on the general correspondence, foreign as well as domestic, of the office; but there are also other departments in the office, composed as follows, namely:—librarian, sub-librarian, and five clerks; superintendent in the treaty department, assistant, and one clerk; three clerks attached to the chief clerk's department; a translator and a financial clerk, in the consular division." That is the establishment of the office. The rest of the paper is a narrative of how we carry on the business in the office. It is a paper which was originally prepared for the use of the Prussian Foreign Office, and then I translated it, and put it in as a memorandum in my evidence before the Diplomatic Committee.

1379. Although the two Under Secretaries divide the world between them, I suppose that either of them, in the absence of the other, will take the business connected with that part of the world which is not especially under his charge?—Yes. When the two Under Secretaries are present, we distribute the business between us, as I said; but if one is absent, the remaining Under Secretary takes charge of the whole of the political department.

1380. The chief clerk, I understand by this paper, is concerned with all the countries?—He has nothing to do with the political or commercial business of the office; he has merely to deal with the internal arrangements of the office generally, including the financial part of it. He has nothing to do with the general work of the office, so to speak.

1381. Of the senior clerks, one superintends the correspondence with Her Majesty's consuls, with some exceptions; another superintends the Slave Trade correspondence, and the remaining six, the political and commercial correspondence of their respective divisions; they are divided, are they not?—They are divided.

1382. Is there any inter-communication between yourself and the other Under Secretary?—Constant. The manner in which the communication is carried on is described in the paper from which I have already quoted. We each of us

E. Hammond, Esq.

10 June 1864.

us see everything connected with foreign politics which comes into the office. The process by which it is done is this: when despatches come back to me, for instance, from the Secretary of State, I immediately send the box on to the Parliamentary Under Secretary, that he may read the despatches, and then he returns them to me. Just in the same manner Mr. Layard, when his despatches come back from the Secretary of State, sends them to me, that I may see them, and after doing so, I return them to him. That being done, the Under Secretary looks to the directions which may have been given upon the despatches, and he sends the despatches into the office, in order that they may be registered, and the directions executed in the department.

1383. Then the custom of the office is, that each of the Under Secretaries is aware of the despatches which are sent?—Yes. In order to prevent an erroneous impression with regard to the domestic correspondence between the Foreign Office and other offices, and between the Foreign Office and individuals, I may state that if there is anything of sufficient importance to require consultation between the two Under Secretaries, particularly if there is any point upon which a question is likely to arise in Parliament, it is immediately communicated by myself to Mr. Layard, because Mr. Layard being the Parliamentary Under Secretary, it is necessary that he should know everything of that kind. Generally speaking, all political despatches are seen by both the Under Secretaries, and all non-political correspondence upon important questions also. The communication between the two Under-Secretaries is perfectly unreserved whenever there is a necessity for it.

1384. That communication is generally conducted by personal interview and by conversation, not by writing, I suppose?—We do not write between ourselves. If the Committee will allow me I will read the whole of that paper, in order to show exactly the working of the whole of the Foreign Office. It goes through the whole of the detail, explaining not only how we communicate between ourselves, but how we communicate with the Cabinet, and how we communicate with Her Majesty, and what we do with the papers afterwards. In fact, the paper was drawn by me with the title of "The Adventures of a Paper in the Foreign Office." It describes the system thus: "The system pursued in each of the eight divisions, which it is the object of this memorandum more particularly to explain, is the same. Each division attends to the whole of the correspondence, except that relating to consular matters, and to the slave trade, which is carried on exclusively by the consular or slave trade divisions, connected with the countries allotted to it, whether that correspondence is carried on with British diplomatic agents employed abroad, or with the ministers of foreign powers accredited to the British Government, or with the different departments of the Government, or with individuals. The description, therefore, of the process, in one division, will do for all. To begin, then, with the receipt of letters in the office. Four clerks have apartments in the office, with fire and lights found them, in addition to their salary; one of whom, in turn, attends to the receipt and despatch of telegrams out of office hours, opens the despatches which arrive between the time of the office being closed in the evening, and 11 or 12 o'clock the following morning, notes on the dockets of the despatches the date of their receipt, and then sends them in locked boxes to the private residence of one or other of the Under-Secretaries of State, who, after having read them, sends them on to the Secretary of State. The Secretary of State, on reading the despatches, gives such directions upon them as they appear to him to require, and returns them to the Under-Secretary of State from whom he received them, who, after making himself acquainted with the directions of the Secretary of State, sends the despatches to the senior clerk of the division under whose superintendence the correspondence of the country from which they come is placed. The despatches are then immediately registered, in a diary divided into countries, which is kept in each division, and, that being done, the directions given by the Secretary of State are executed under the superintendence and responsibility of the senior clerk, who distributes the work as he sees fit among the junior clerks of the division. Copies are made of such of them as should be communicated to other Ministers abroad, or to the different departments at home. Drafts of answers are prepared, or of letters to parties whose applications for interference or information are reported on; notice is given to the senior clerks of the other divisions of despatches, of which they should have copies made in order to send abroad; for, as a general rule, the head of each division ought to know in the course of the day whether certain despatches have arrived, or have been sent off, which should be communicated to Her Majesty's Ministers in the countries under their several superintendence. As regards despatches or letters which may arrive in the course of the day, either from abroad or from foreign Ministers, or from public departments, or from private individuals, a similar course is pursued, with the exception that domestic letters are generally brought unopened to one of the Under Secretaries of State, who sends them, after having opened, and read them, if he sees fit to do so, into the proper division, from whence they are returned, when docketed and registered, to the Under Secretary of State, to be forwarded by him to the Secretary of State, or otherwise disposed of. When the drafts or despatches, or letters, have been prepared, they are submitted by the senior clerk to the Under Secretary of State, who sees that they are properly written, and if they relate to matters of no great importance, approves them at once, and returns them to the senior clerk, or, in the contrary case, forwards them to the Secretary of State for his approval, and when they are returned by the latter, they are sent back to the division to be written out for the signature either of the Secretary of State or of the Under Secretary of State, as the case may be. When written out, they are given to the Under Secretary of State for his signature, or for that of the Secretary of State, and they then go back to the senior clerk, who is responsible for their being duly despatched by messenger, or by post, or otherwise. In mere matters of detail, the senior clerk sometimes does not trouble the Under Secretary of State with a draft of a letter, but submits it at once to him for signature, being responsible to him for the terms of the answer being correct; but, as a general rule, no official letter, however trifling should be sent out of the office without an exact copy being kept of it. When the despatch or letter is sent off, the draft,

draft, or copy of it, is docketed and registered in the same diary that the letter to which it is an answer is entered in, the letters received being entered on the left hand page, while those sent are entered on the right hand page. The paper is then put by into the press, according to its country, unless in the case of important despatches, which are circulated to the Cabinet Ministers, as will hereafter be explained. The work is carried on very quickly, and no formal difficulties exist to occasion delay. Very frequently despatches are received and answered, and disposed of in one and the same day; and, in fact, in ordinary circumstances, despatches or letters received in the several divisions are disposed of, one way or the other, in two or three days after their arrival. They are either answered or communicated to other public departments, or to interested parties. Of course there are exceptions to this rule in regard to matters which require consideration, and previous communications with the Sovereign or the Cabinet. It is not generally the practice to draw up memoranda or detailed observations on the despatches which come in, such a practice tending to occasion delay. The papers are retained in each division unbound, for about 18 months or two years. They are then handed over to the librarian, who causes them to be arranged for binding; the despatches received, and those sent, being bound in separate volumes, while the departmental letters, and letters from individuals, with their answers, are bound up indiscriminately in other volumes. When the correspondence is bound, it remains in charge of the librarian, who has a fresh register made of the contents of the volumes, somewhat more detailed than the Divisional Diaries, and this register is again indexed according to persons and subjects. By these arrangements we can very quickly refer to the correspondence even of some years standing, and get at the papers which it is desired to consult, in a very short space of time. When a detailed report on a matter which may have occurred some years back is required, the librarian prepares it. If the question has its origin within 15 years, the senior clerk of the division either draws up the memorandum himself, or desires one of his subordinates to do so, being still himself responsible for its correctness. There is a special department in the office called the Treaty Department, in which the drafts of treaties, and everything connected with them in all stages of negotiation carried on in this country, are prepared. The senior clerk of each division should, however, be kept acquainted with any treaty in negotiation with a country under his superintendence. There is a private printing establishment in the office, and also one for bookbinding, so that everything required for carrying on the business is concentrated under the same roof. It has been stated that the work of the office is placed under the control of one or other of the Under Secretaries of State; it remains to be shown how each of them keeps himself acquainted with the correspondence specially under the superintendence of the other. Except on questions of a peculiar interest or of a difficult character, one Under Secretary of State does not usually trouble himself with the domestic correspondence which belongs to the countries assigned to the other. But as regards the correspondence with Her Majesty's Ministers abroad, the matter is thus arranged. No allusion has hitherto been made, while tracing a paper from its entrance into the office to its consignment to the press, of the division to which it belongs, to the manner in which despatches from and to Her Majesty's Ministers abroad are communicated to the Queen or to the Cabinet Ministers; but this is the process: When the Secretary of State has given his directions on the despatches which arrive from abroad, or has not seen occasion to give orders, the despatches and, in matters of importance, the drafts of answers, when approved by the Secretary of State, are sent by the senior clerk of the division to the Prime Minister first and then to the Queen (in case of important drafts for Her Majesty's approval previously to their being sent off), and they are afterwards circulated among the Cabinet Ministers. But the boxes, on their way to the Prime Minister, ought to pass, in the first instance, through the hands of the Under Secretary of State under whose direct superintendence the correspondence of the several countries is not placed, and he thus is enabled to make himself acquainted with matters of political interest recorded in that correspondence. As regards the discipline of the office, the nominal hours of attendance are, as in other offices, six. The office, however, does not close, nor are the clerks released from attendance, till the work required, whatever may be its amount, is completed, and consequently the clerks, or some of them very often do not get away till seven or eight o'clock, or even later. As a general rule, no junior clerk leaves the office without permission of the senior of his division, while the latter does not himself go away without first ascertaining that the Under Secretary of State no longer requires his attendance. The clerks are allowed two months' vacation in the course of the year, and they settle among themselves, and with the assent of the senior clerks in the respective divisions, and the sanction of one of the Under Secretaries of State, at what time they shall take their leaves. We are not, however, very particular as to occasional absences for a few days. We tax the clerks at times very severely, and therefore we are not very strict in other matters, but in no case can a clerk absent himself without permission previously obtained, either from a senior clerk, or from one of the Under Secretaries of State. The great object is to keep up a feeling of good fellowship among the clerks themselves, and zeal for proper conduct of the business. There is no mystery observed in the distribution of the business; implicit reliance is placed on the honour and discretion of every clerk, and no hesitation is shown by any of the clerks, however high their standing in the office may be, to assist, in case of emergency, in carrying on any part, however trifling, of the business of the office. This paper has been designed to show, generally, the manner in which the everyday work of the Foreign Office is performed, and therefore no detailed account is given of the manner in which the business of the chief clerk's, or of the librarian's, or treaty, or translator's department is carried on, and no detailed particulars of the matters coming within the special province of each of those departments."

E. Hammond, Esq.
10 June 1864.

1385. Mr. *Layard.*] The arrangment of the business between the two Under Secretaries, of which you have given a description, is a mere matter for our own consideration, as regards the convenience of business, is it not?—Yes.

1386. *Chairman.*] Upon what matters does your office communicate with the Board of Trade?

E. Hammond, Esq.
10 June 1864.

Trade?—Upon everything relating to trade and commerce between this country and foreign countries which comes under our notice.

1387. Upon all questions relating to foreign tariffs, I suppose?—Yes; everything that comes into our office connected with trade and commerce goes to the Board of Trade.

1388. I will go through them in detail. Do you communicate with the Board of Trade upon any commercial treaties you receive between one foreign country and another?—Always.

1389. In fact, all questions relating to foreign tariffs, either as between this country and another country, or as between another country and a third country?—Certainly.

1390. Do you communicate with them, with regard to all navigation laws and charges upon shipping?—Certainly; everything that comes within our knowledge.

1391. I think you do not communicate with them upon complaints that are made by merchants against foreign Governments, do you?—It would depend very much upon the nature of the complaint. Some complaints are so clear and evident, that we can deal with them ourselves. Anything that we want an opinion upon, as bearing upon trade generally, we should of course ask the opinion of the Board of Trade upon; some cases are, apparently, very clear, and we can deal with them ourselves, or deal with them with the assistance of the law officers of the Crown. But if there is the slightest doubt about the interpretation of a treaty, we should go first to the law officers of the Crown; or we might take the opinion of the Board of Trade first, and then refer to the law officers of the Crown. We should not make a representation to a foreign Government, with reference to the interpretation of a treaty, without consultation with the law officers of the Crown, in order that they might judge whether or not we were justified in making it.

1392. Complaints made by merchants against consuls; do you communicate those to the Board of Trade?—Those ought always to come to us. I believe they occasionally do go to the Board of Trade; but the Board of Trade refers them to us.

1393. Upon your receiving them, do you refer them to the Board of Trade?—No; we should deal with them ourselves, except in certain cases; for instance, if there was a complaint which came under the Mercantile Marine Act, of which the Board of Trade have the supervision, we should refer it to the Board of Trade, as being most competent to judge of it.

1394. How should you deal with a complaint, by a merchant against a consul, for neglecting the interests of trade?—It is very hard to give an answer to a general question of that kind, without seeing the nature of the complaint. If it was a complaint, that we required the assistance of the Board of Trade to decide upon, we should refer it to the Board of Trade; but if it was one we could dispose of ourselves, we should not refer to the Board of Trade upon it.

1395. In what case do you consider that you would require the assistance of the Board of Trade; would it be when some fact with reference to trade was involved?—It might be something upon which we might require the advice of the Board of Trade how to deal with the question.

1396. You cannot lay down any general rule to govern these cases?—No; we consider the Board of Trade as a Government Department, to whose advice and assistance we have recourse, whenever we have occasion to do so, unreservedly.

1397. Are Post Office arrangements, between this and another country, communicated to the Board of Trade?—They would go to the Treasury or the Post Office.

1398. Are all the reports of the consuls, upon trade, sent to the Board of Trade?—I believe they are, invariably; they ought to be. In order to facilitate their going to the Board of Trade, our consuls are required to send in their reports in duplicate, so that there may be no delay.

1399. Do they send other reports to you, besides the reports upon trade?—They report on everything that comes within their observation, connected with the trade of the country.

1400. Do the consuls report upon other questions besides commercial questions?—If anything of a political nature, for instance a military movement or a naval movement was going on, they would report to us.

1401. Supposing that the consuls report to you upon matters not commercial, are those matters always kept in distinct and separate reports from the reports upon commerce?—They are not kept distinct; that is to say, they come under the same series of numbers, but we deal with them differently. We should not send to the Board of Trade a question of so many ships going to be launched or built in any particular port; that would be sent to the Admiralty; but they come under the regular series of consular despatches, and are bound up in the regular series.

1402. Supposing a letter from a consul contained information with reference to trade, and also information with reference to some other matter, would that letter be sent to the Board of Trade, or would merely that part of it be sent to the Board of Trade which referred to commercial matters?—Merely that part of it; but we should send a letter to the consul, desiring to know why he disobeyed our standing rule by including, in one despatch, more than one subject. We have a standing rule, that every despatch shall be confined to one subject, and not be like the old Indian correspondence, when they used to write a letter of five or six hundred paragraphs, containing the whole history of the Presidency for a certain time.

1403. The same rule applies to the reports of Secretaries of Legations, I suppose?—Yes.

1404. Are all reports, sent by our Ministers and Secretaries of Legations, forwarded to the Board of Trade?—The Secretaries of Legations have no direct correspondence with the Foreign Office at all; they make periodical reports, but under their instructions they make them to the head of their mission. The head of the mission then transmits them to this country, and they are then sent to the Board of Trade, and then published and communicated to Parliament and to the Chambers of Commerce throughout the country.

1405. Does the Foreign Office ever take the initiative in commercial matters; does it commence a negotiation with a foreign Government without the suggestion of the Board of Trade?—We certainly should not attempt anything of that kind without the most unreserved communication with the Board of Trade.

1406. Is

1406. Is it the general rule that all commercial negotiations begin by suggestions from the Board of Trade rather than by the initiative of the Foreign Office?—I can hardly say that there is any general rule upon the subject. If we saw an opening for anything to be done abroad, we should ask the opinion of the Board of Trade whether it was desirable to take it up. Generally speaking, I should say that the Board of Trade, being more conversant with the commercial interests of the country, having more communication with the commercial bodies, and therefore being better able to judge what is for the advantage of the country with regard to commerce, and having before them also all the details, as far as we can supply them with them, of what is going on in foreign countries, would make the suggestion to the Foreign Office; but whether the suggestion came from the Foreign Office to the Board of Trade, or from the Board of Trade to the Foreign Office, the whole of the transactions connected with it would be settled and arranged between the Foreign Office and the Board of Trade. Our communication is unreserved and unrestricted in the widest sense of the word.

1407. What I understand is this, that upon any question coming before the Foreign Office with regard to trade, a communication is made to the Board of Trade, and their opinion is asked upon it, may I ask whether, as a rule, it is the custom of the Foreign Office to act upon such an opinion?—Generally speaking, we do. I will not say that it is the universal rule, because as there are two Cabinet ministers consulting, you may say, together, the one being the President of the Board of Trade, and the other, Secretary of State for Foreign Affairs, there may be between those two Ministers, as there may be between the Ministers of the Cabinet generally, differences of opinion which are discussed and settled between them. The Foreign Secretary, judging from his general knowledge of politics abroad, might think that it was not opportune, and might convince the President of the Board of Trade that it was not opportune to press a particular point at a particular time, and that inconvenience might arise from doing so. In that case, probably, we should not carry out the original suggestion of the Board of Trade. But that is a thing of such rare occurrence, that I state it merely that the Committee may not go away with an impression which is at all inaccurate. The Secretary of State does not consider himself absolutely bound to attend to the suggestions from the Board of Trade, but the exceptional cases in which he does not attend to them, are very rare indeed. There is a case of that kind which appears in the papers printed for the use of the Committee. I wish to make it clearly understood, that if the Secretary of State sees, for political reasons, or for general governmental reasons, that it is inexpedient to press a particular question upon a foreign government at a particular time, he would not necessarily act upon the opinion of the Board of Trade in that matter, because, of course, the ministry being composed of men of intelligence, things are talked over between them, and one opinion prevails.

1408. Is it the rule of the Foreign Office to act upon the opinion given by the Board of Trade, unless a reason be given to that Office why that opinion should not be acted upon, and an opportunity be given to them to state the ground upon which they rest their opinion?—I should say not. We should not have an argument with the Board of Trade upon a question of political expediency.

1409. Supposing that the Foreign Office takes one view upon a question, and the Board of Trade takes another, I imagine that the Foreign Office, having really to conduct the negotiation, must ultimately act according to its own view. Does it give the Board of Trade an opportunity to state the reasons upon which they ground their different opinion?—I can hardly say that that sort of case precisely occurs. If we should demur to acting upon the suggestions of the Board of Trade, it would be rather a political demurrer, which the Board of Trade are not precisely the office to take cognisance of.

1410. Am I to understand from that that if the difference of opinion was upon commercial grounds purely, the opinion of the Board of Trade would be taken?—We should not question it; we should act upon their suggestion. The rule is so universal, I may almost say, that we do carry out the suggestions of the Board of Trade to the best of our ability, that it is only to be perfectly fair with the Committee that I state the possible exception.

1411. Returning to the consular reports, and the reports of the secretaries of legation, through their ministers, I see, by this paper, that one clerk superintends the correspondence with Her Majesty's consuls; does he superintend the correspondence with the secretaries of legation also?—No; we have no correspondence with the secretaries of legation; there is none in the office.

1412. It comes to you through the Ministers, does it not?—The mere report comes; it is not a correspondence exactly; there is no independent correspondence kept up with the Secretaries of Legation; but, according to the arrangement made in Lord Clarendon's time, the Secretaries of Legation are required to send periodical reports upon matters of general interest in the country where they reside, sometimes on trade and sometimes on other matters. These reports, in order that there may be no question of clashing with the Minister, must come through the Minister's hands to the Foreign Office, and then as the correspondence with the Minister comes within the political department, these reports also come to the political department.

1413. First, as regards the consuls' reports; whose business is it in the Foreign Office to inform either the Secretary of State or yourself, or Mr. Layard, as to whether the reports of the consuls are always sent, and whether, when sent, they are as full and as intelligent as it is reasonable to expect that they should be?—The Assistant Under-Secretary of State has the immediate superintendence of the Consular Department; the reports go on to the Board of Trade, as a matter of course.

1414. Am I to understand from that, that there is no official at the Foreign Office who may be considered to test the consuls' reports as to whether they are full or not?—If they were insufficient, probably the Assistant Under-Secretary would notice it, and call my attention to the fact, and the Secretary of State might very likely take notice of it if the reports were found insufficient.

1415. As a general rule you would consider

E. Hammond, Esq.

10 June 1864.

that they were sufficient, unless there was an objection made by the Board of Trade?—No; I cannot say that; we would exercise our own judgment; we do not consider ourselves bound to be restricted by the opinion of anybody as to whether our agents abroad do their duty or not; if our attention was called to their not doing their duty properly, of course we should examine into the matter, but if we ourselves perceived that they did not do their duty properly, then we should take notice of it without our attention being called to it by anybody else.

1416. Supposing any consul neglected to send a report, should you consider it your business to find out why he omitted to do so?—I apprehend that the Assistant Under Secretary would do so. Though I do not see all the letters that pass to the consuls, yet I think I may give a safe answer upon that subject, for all the reports of the consuls which are presented to Parliament, come to me, that I may see the proofs, and I constantly see in the margin of a proof when the report has been delayed, "Desire the consul to send his reports in earlier." That is, a notice is to be given to the consul. I know what is done in that way; it is so much a matter of detail, that it would not be thought necessary to call my attention to it; it would be done in the Consular Department, as a matter of course.

1417. Supposing you do not receive from a Minister at any foreign place the report made to him upon trade by the Secretary of Legation, whose place would it be at the Foreign Office to find out why that was not sent?—Strictly speaking, the clerk in the particular department ought to call my attention to it.

1418. These reports were formerly made by the foreign Ministers themselves, were they not?—Never in my recollection; it was quite a novelty introduced by Lord Clarendon. I speak now of the reports of the Secretaries of Legation; the consular reports were always made.

1419. Do all the Secretaries of Legation report, or rather, does every foreign Minister send in a report made to him by his Secretary of Legation?—The Secretaries of Legation ought to do so; they are not always very regular; in general, they are very fairly regular. Of course there are exceptions; when a man is away on leave, or when a change takes place in the office, and when the time of the Secretary of Legation has been engrossed by other duties; in such case he may not make his report in the proper time. Another reason may be, that he may have a difficulty in obtaining assured information, and having some regard for his own credit, he does not like to send an imperfect report. Generally speaking, I think they very fairly keep the time. If my attention was called to their not doing so, I should immediately take notice of it.

1420. I do not see any report either from Spain or from Russia in this volume; has there been any report from either?—There was a very valuable report indeed, printed in the volume for 1862, from Mr. Lumley, at St. Petersburgh; it extended over 37 pages, and gave an account of the Russian trade in Central Asia; it was one of the most valuable reports I have seen. The reason why Mr. Lumley has not reported since, is on account of the great difficulty he has had in respect of obtaining valuable information. I have called the attention of Mr. Lumley to the fact of his reports not having been made.

1421. Is that report of 1862 the only report he has ever made?—There has been nothing since 1862; I have not gone back to see what there was before that. He says, "The delay has arisen from his disinclination to send in reports of an incomplete nature. Information on the subjects he has taken up has been promised, but has not yet reached him, and he did not consider himself justified in sending in reports that would have been merely translations of trade and navigation returns." I think the Committee will allow that that is a good and sufficient excuse for Mr. Lumley not having reported in due time.

1422. How is it in regard to Spain?—In regard to Spain I also thought it right to ask Mr. Edwardes why it was that he had not sent any report, and he gave what was to my mind a sufficient reason, and what the Secretary of State also considered a sufficient reason, namely, that from his various occupations, and from the general business of the mission having pressed upon him severely, he was not able to give that attention to the subject which would enable him to make a satisfactory report.

1423. Have you not seen, in reading the evidence that we have received, that one or two of the merchants seem to think that Spain and Russia are, more than almost any other countries, countries from which it is desirable to obtain information, on account of the very high duties and the very great extent to which, as we suppose, the interests of the inhabitants of those countries are injured by those duties?—I am aware of that statement; I give you the answers which I have obtained from the parties themselves. I presume the merchants in this country would not be benefited by having an incomplete report from Russia, for instance; that they would rather have no report at all than a report not founded upon good and sufficient data. With respect to Spain, I say that, from peculiar causes, there was very severe pressure upon Mr. Edwardes at the time, and he was not able to give that attention to the subject that it required; he was a good part of the time in charge of the mission.

1424. Mr. *Seymour Fitzgerald.*] Was not the Minister away part of the time?—A good part of the time, and Mr. Edwardes was in charge of the mission. There was a considerable pressure of work in the mission; and Mr. Edwardes has, to my certain knowledge, done a great deal more in that mission than it generally devolves upon a Secretary of Legation to perform.

1425. *Chairman.*] Do you mean to say that you suppose that the commercial men throughout the country would rather have no report at all than a full report of the whole trade, or that they would rather have no report than one in which facts were stated which were not true?—The Secretaries of Legations are not required to make a full report on the whole trade; they may take up any portion of the trade. I may explain to you the history of those Secretaries of Legations' reports. They were designed much more for a lesson or a study for the Secretaries of Legations, than for the general information of the community at large in this country. It was our desire to improve the diplomatic service, and we set this task to the Secretaries of Legation to give them more to do than in the ordinary state of things they would have to do, and to turn their attention more particularly to subjects of commercial industry. It was so little the intention that those reports should be made use of as anything

anything but a lesson or a study for a Secretary of Legation, that we did not publish them in the first instance.

1426. Am I to understand from that, that you do not intend those reports, valuable as they are (and nobody disputes their value), to be a means of conveying to the commercial public facts that immediately require their attention, but rather to be a means of giving general historical information with regard to trade, and doing good also to those who make them, by increasing their knowledge?—Yes. As an illustration I may mention a valuable and curious report, which some of the Honourable Members present may have seen, upon the clockmaking trade of Switzerland. I forget, at the moment, the name of the gentleman who made it. It is one of the most interesting that I have ever seen.

1427. Mr. *Layard.*] There is a distinction between those reports and the communication of fact; those reports are merely generalizations, but all facts relating to trade; for instance, alterations in tariff, or new regulations, are communicated at once fully by the minister, are they not?—Yes; those reports, of which I have been speaking, are rather in the shape of essays. The secretaries of legation may take up any subject. Some of the reports published now have not much to do with trade. There is one upon the Danish election law. It is a report showing extreme industry upon the part of Mr. Lytton, and is very highly creditable to him, but it probably will not very much enlighten the commercial body of this country.

1428. The facts relating to trade are immediately communicated by the ministers, are they not?—Yes.

1429. *Chairman.*] Do you not think that it would be advisable that the Secretary of Legation at Madrid should send to the minister a report showing the mode in which the present Spanish tariff is put into force?—It would be very advisable, supposing that it was given in measured and discreet terms. But if he was in the report to raise questions which would set the whole of the Spanish manufacturing population, and Spain generally, in arms against him and against any change, I should think it very unadvisable to publish such a report.

1430. Do you not think that the mere statement of such a fact as that goods arriving in Spain are confiscated, or have a heavy fine laid upon them, if there is more than a certain proportion of cotton as compared with wool in them, would be attended with advantage, although, no doubt, indiscreet reports might not be so?—That would enter as an element into a commercial report. It very much depends upon the way in which it is put. I should look very closely indeed at any commercial report from a Secretary of Legation in Spain to see that more harm was not done to the commercial interests of the country by publishing it, than by not letting it go forward. In the case of a country like Spain, where there is a very strong interest against modifications in the tariff, I would not publish anything which would imperil the existing Government, and perhaps create a revolution in the country. I would not say that I would necessarily let a report go forward to the world, though it might be very useful to us to have it in the Foreign Office.

1431. Mr. *Kinnaird.*] You have the facts in the Foreign Office?—Yes; I apprehend that the whole commercial world has the facts; a merchant must know, in importing his goods into Spain, under what restrictions he imports them. He does not require the Government to tell him at every step what he is to do, and what he is not to do. Those are things which, I apprehend, the merchant himself would necessarily be acquainted with.

1432. Mr. *Gregory.*] Do you expunge from the reports any expression which you consider incautious?—I certainly should not allow any expression to be published which would do harm, and which would compromise either the trade of the country or the individual from whom we obtained that report. Of course, a great deal of the information which a man obtains is in confidence.

1433. *Chairman.*] Are you aware that there is a strong free trade feeling in Spain?—I am not aware of that.

1434. Do you not consider that, in the present state of political feeling in Spain, a temperate statement of the mode in which the tariff is levied, and the injury that it must give to Spanish interests, could do no harm, and might do good?—I cannot conceive the possibility of its doing any good; I can conceive the possibility, if it gets abroad, of its doing a great deal of harm. If it was notorious that such a representation had been made to the Spanish Government on the part of the British Government, you would have all the manufacturing interests in Spain rise up in arms against it, and, especially, that important part of Spain, Catalonia, which, I believe, has a very predominant influence over the councils, not only of the present, but of any Spanish Government which may be called to power.

1435. Do you not imagine that those merchants are at this moment quite alive to any regulation that may affect their interests?—They are perfectly alive to it, and perfectly prepared to resist an innovation, even to the extent of civil war, I believe.

1436. Do you not think that any information that was given to show how a large body of the nation was injured would be of advantage?—I should doubt its influencing, to any great extent, the people of the province of Catalonia, which is a manufacturing country.

1437. Mr. *Layard.*] Have not the Government been in constant communication with the Spanish Government upon the subject of a general reduction of the tariff, and also upon special subjects?—The British Government have done their utmost to induce the Spanish Government to carry more liberal views into action.

1438. *Chairman.*] Do the representations from British merchants and commercial bodies, such as Chambers of Commerce, upon foreign commerce, generally come to the Foreign Office through the Board of Trade?—They sometimes come to the Foreign Office. What the communications between the Chambers of Commerce and the Board of Trade are, I am not able to say.

1439. Are you generally informed by the Board of Trade that representations have been made to them upon a foreign commercial subject, and does the Board of Trade in consequence communicate with you?—If the Board of Trade sees occasion to communicate with us, it does so; but it is impossible for me to say whether the Board of Trade send everything to us, or whether they send a selection only. I presume

E. Hammond, Esq.
10 June 1864.

that the Board of Trade, whenever they get a communication which they think desirable to impart to the Foreign Office, do communicate it.

1440. Do you imagine that the Board of Trade would consider it within their discretion either to forward such communication, though it was upon foreign commerce, to you, or not, as they thought best?—According as they thought it advisable; I imagine that they would judge for themselves.

1441. Sometimes deputations from commercial bodies come to you direct, do they not?—Occasionally they do.

1442. When they do come, are their representations always referred to the Board of Trade? —Yes; I may say that they always are.

1443. The rule is to send them to the Board of Trade?—Yes. I will put it thus: we should not take action upon a representation with regard to foreign trade, without communication with the Board of Trade.

1444. Then you are not aware whether, in case any British merchant, or any British subject, or any number of British subjects had any representation to make upon foreign commercial matters, it would be sure to arrive at your office, if it went to the Board of Trade only?—No; I cannot say what the rule of the Board of Trade is upon the subject. Honourable Members present will know better than I do. The Right Honourable President of the Board of Trade could tell what has been the practice.

1445. There is no understanding or arrangement between the Foreign Office and the Board of Trade, which would necessitate, as a matter of course, that such representations should be forwarded to you?—No; but I think you must assume that the Board of Trade would, if it saw a reasonable ground for forwarding the representation, send it on to the Foreign Office; but I do not think that the Board of Trade could be expected to, or would, send on to the Foreign Office, any representation which they did not see there was sufficient ground for putting before a foreign government. I think it must be a matter quite within the discretion of the Board of Trade, whether they would do it or not.

1446. You have stated that all questions of trade that come before your office are, as a rule, referred to the Board of Trade, and that you communicate with the Board of Trade in regard to them; is that communication with the Board of Trade conducted in writing?—We send them copies of the papers.

1447. If you wish for the opinion of the Board of Trade, do you request such opinion in writing?—We should ask it in writing. Of course, I do not mean to say that the Secretary of State may not ask a question of the President of the Board of Trade informally, but all official communications between us and the Board of Trade are in writing.

1448. How are those communications generally made, are they made by you?—By the Under Secretary of State.

1449. With what official of the Board of Trade?—With the Secretary of the Board of Trade. We write to the Secretary of the Board of Trade, not necessarily by name. Sometimes, I believe, we write to him by name, but the general rule is not to do so.

1450. I see, from these papers, that the form is, generally, "Mr. Hammond to Sir Emerson Tennent"; you never put the Under Secretary of State to the Secretary of the Board of Trade? —I do not believe there is any rule. It very much depends upon the clerk who writes the letters for signature, whether he puts "The Secretary," or the name. We write to the Secretary to the Board of Trade, just as we write to the Secretary to the Treasury, the Secretary to the Admiralty, or the Secretary to the Post Office; sometimes we put the name, and sometimes not. In the same way they write to us, sometimes to "The Under Secretary," and sometimes to Mr. Layard or myself.

1451. If you, as Under Secretary, have a communication with Sir Emerson Tennent, as the Secretary to the Board of Trade, and wish to obtain the opinion of the Board of Trade, do you see him, or do you write to him?—I write to him; but you must bear in mind that the secretary is only addressed as a subordinate official. The communication is made to the Lords of the Committee of the Privy Council for Trade. It is not a personal communication between me or the Under Secretary, and the Secretary to the Board of Trade, but it is between Lord Russell and the Lords of the Committee of the Privy Council for Trade.

1452. Upon receiving your answer, that is given to the Secretary of State, is it not?—The answer would come, in the first instance, to one of the Under Secretaries, as the case might be. If it was addressed to the Under Secretary, it would come to me, and I should send it either directly to Mr. Layard, or send it into the department to be registered in the first instance, and then it would go to the Secretary of State.

1453. Does the Secretary of State see any of the permanent officials of the Board of Trade upon these matters?—If he had occasion to see any person, he would communicate directly with the President of the Board of Trade.

1454. Practically that is not the custom, is it? —If you mean to ask whether there is any stated conference, I should answer no.

1455. Are you aware whether, of late, it has ever been the case in cases in which the Foreign Office have wished for the advice or opinion of the Board of Trade, and have consulted that department, that the permanent officials of that department have been brought into contact with the Secretary of State for Foreign Affairs?—It is perfectly impossible for me to answer that question; all I can say is this, that it might or might not be the case. I am not always at the elbow of the Secretary of State to see what he does, but I know, of my own knowledge, that there is a communication between the Secretary of State and the President of the Board of Trade, personally, when any question of emergency arises, which it does very frequently. I know it, not from being present myself, but from seeing the President of the Board of Trade coming to the Secretary of State's room when I may happen to be there, or from knowing that he is there.

1456. I understood you to say that you, as one of the Under Secretaries, are in constant communication with Mr. Layard, as the other Under Secretary?—Yes.

1457. But your communication with the Secretary of the Board of Trade is by writing?— Yes.

1458. Is it not practically the case (I think I gather

gather it from your evidence), that of the questions which come before the Foreign Office, the purely political questions are entertained by your office, and that the commercial questions are referred to the Board of Trade?—They are referred just in the same manner as we refer the legal questions to the law advisers of the Crown, the naval questions to the Admiralty, the army questions to the War Department, and the financial questions to the Treasury.

1459. But, as a fact, the commercial questions are referred to the Board of Trade, are they not?—Yes.

1460. Is it not the case that, in political questions, the Secretary of State is in communication direct with a permanent official of his own department?—Yes, of course; with one or other of the Under Secretaries.

1461. Is not it the case, that upon commercial questions he communicates with a permanent official, who has to give the information either by that permanent official writing to you, and his letters being handed over to the Secretary of State, or by that permanent official communicating with him through the President of the Board of Trade?—Allow me to observe that the permanent official does not act for himself; he is only the mouthpiece, you may say, or the amanuensis of the head of the department. If there is any personal communication between the Secretary of State and the Board of Trade, it is between the Secretary of State and the President of the Board of Trade. I have no personal communication with the President of the Board of Trade, generally speaking; but as I have the honour of knowing the right honourable gentleman who now holds that office very well, on some occasions, in order to expedite business, I have seen him.

1462. Mr. *Henley.*] In point of fact, the Under Secretary, whether the permanent official or otherwise, writing to another Government office, writes in the name and on behalf of the Secretary of State, does he not?—Yes; we do not write in our own name.

1463. The answer he receives from any other department is not the answer of a permanent official, but the answer of the head of the department, who is responsible for that answer?—Yes.

1464. *Chairman.*] That is the case in theory?—Yes; it is not only so in theory, but it is really the case. I can only answer for my own department; I, of course, will not undertake to answer for the practice of any other department. Any matter of routine, such as transmitting a letter, or anything like that, I should do, without troubling the Secretary of State; but if any direction or opinion had to be given, I should act under the immediate order of the Secretary of State, because the paper would have gone up to the Secretary of State, and his orders would be given upon it; I should be merely executing his orders. If it were anything very material, I should send up to him a draft of my letter, and it would have the Secretary of State's approval.

1465. Is it not the case that the Secretary of State must obtain a great deal of valuable information from the permanent officials in his department?—I hope he does.

1466. Then the information that is obtained upon political questions is obtained, is it not, by constant personal communication between the Secretary of State and yourself as a permanent official?—There is a good deal of personal communication and a good deal of written communication between us.

1467. Is there anything approaching to the same personal communication between the Secretary of State and the permanent official who has information to give him upon commercial matters?—Of course not; because that permanent official gives no information of his own upon commercial matters; it is not the information of the permanent official; it is the information of the head of his department.

1468. Do you not suppose that the permanent official of the Board of Trade would be able to give information upon commercial matters to his own chief, in like manner as you would to your chief upon political questions?—I presume that Sir Emerson Tennent gives information to the President of the Board of Trade.

1469. Is not it the case that on one branch of the negotiations, or the business which the Foreign Office has to conduct, the information that comes from permanent officials is conveyed directly to the Secretary of State for Foreign Affairs, and upon another branch indirectly?—It is conveyed from one Cabinet Minister to another Cabinet Minister.

1470. That other Cabinet Minister, not being a permanent official himself, has received it from somebody else, has he not?—Yes; from his permanent official.

1471. Is not it the case, that in the one case the information comes direct from yourself, for instance, to the Secretary of State, and in the other case through the medium of another person, as, for instance, from Sir Emerson Tennent through the President of the Board of Trade?—Of course it does; that is the case in all departments. If information comes from the Admiralty, although it is Mr. Romaine or Lord Clarence Paget who signs the letter, it is nevertheless information conveyed by the Board of Admiralty; that must be done in every department. I should be glad to take this opportunity of saying, that, as a rule, a permanent official or any subordinate official can, or ought, only to act as the mouthpiece of his principal; he has no independent authority to act for himself at all.

1472. I speak not of action, but of information given?—If he gives information, that is action.

1473. I do not imagine that you mean by that to say, that he merely acts as a mouthpiece in receiving suggestions and information from his chief; he also gives information to his chief, does he not?—Between the chief and his subordinate, of course there is unreserved communication, but the chief is not bound to follow out what the subordinate says to him; I should think it a great misfortune if he was bound to do so.

1474. Do you not conceive that political and commercial questions, as regards foreign affairs, are very much connected together?—Of course they are very much connected together.

1475. Do you consider that there is no disadvantage in the Secretary of State for Foreign Affairs being unable to consult those whose business it is to attend to commercial questions, as directly and personally as he is able to consult yourself and the other officials whose business it is to attend to political questions?—He does consult personally, when necessary; he consults the President of the Board of Trade, who is the per-

E. Hammond, Esq.

10 June 1864.

son responsible to Parliament and to the country for supervising the trade of the whole country.

1476. Do you consider it no disadvantage to him that he is unable to consult personally those permanent officials who have attended to those questions?—If he wanted to consult them he would send and ask them to come to him.

1477. Do you consider it no disadvantage that the general custom and rule is, that he does not do that?—It is not the slightest disadvantage in the world; if he wants to have personal communication with any subordinate, permanent or otherwise, in any other office, he sends for him to come and speak to him. There is nothing to prevent his seeing him.

1478. Am I to understand from that, that you think there is no danger of commercial questions not being sufficiently considered, from the fact that the Chief Secretary of State is able to have constant personal communication upon political questions, with permanent officials, but not upon commercial questions?—There is not the slightest danger of their being overlooked. If I understand the drift of all these questions it is this, that the Secretary of State for Foreign Affairs should be going into all the minute details of the commerce of the country; now, that is an impossibility; the pressure upon the Foreign Office is so great, that it is utterly impossible for the Secretary of State to do more than he does do; he cannot attend to the details of commerce; the details of commerce come digested through the Board of Trade into a practical result, with the approval of the President of the Board of Trade.

1479. The question I wished to ask was this; not whether the Secretary of State himself should attend to those minute details, but whether there would not be an advantage in his having personal communication with the permanent official who has attended to those minute details, and has digested them?—There would be no practical difference from the present state of things that I can see. With respect to the permanent official, I may state that I think the principle involved in your question goes to make a permanent official the guiding agent in matters of this kind. I believe that a permanent official is, you may say, not responsible either to Parliament or to the country; of course he has a certain responsibility, but he is not responsible in the ordinary sense of the term.

1480. Do you consider that it is no disadvantage that the Secretary of State should merely receive from his colleague, the President of the Board of Trade, the impression conveyed to his mind by the information given by a gentleman who has attended to the minute details, rather than that he should see him himself?—I presume that the gentleman to whom you refer writes a letter in behalf of the President of the Board of Trade, and submits it for his approval. I do not know the practice of the Board of Trade, but I presume it is so, because it is the case with us. We write a draft of the letter, and that is submitted to the head of the office for his sanction and approval. Therefore, we really get the detailed opinion, so to speak, of the Board of Trade.

1481. Supposing that the Secretary of State for Foreign Affairs merely registered, or merely transmitted, the opinion of the President of the Board of Trade, and did not feel that upon himself rested the responsibility of forming his own opinion upon a commercial question then, of course, you would consider that it would make no difference whether he was in personal communication or not?—If the letter is not sufficiently explicit to enable the Secretary of State for Foreign Affairs to act, we should either apply for further information, or the Secretary of State might see the President of the Board of Trade upon the subject.

1482. Do you consider that there is no inconvenience in having to refer to another department for information upon those matters?—Not the slightest.

1483. What objection would there be to your having a commercial department in your office, so that you could yourself obtain information upon commercial questions, and the Chief Secretary could be in constant communication with the chief of that department?—It would swamp our office entirely; we have more to do now than we can conveniently execute, especially the Under Secretaries.

1484. Supposing that there was a chief of such a department placed in your office, how would it give more work to the present Under Secretaries?—Because the present Under Secretaries would be obliged to keep themselves acquainted with everything that was going on in such a commercial department. I may say, also, that what you alluded to just now in speaking of the absence of one of the Under Secretaries, has happened this very Session. As has been the case lately, the head of the commercial department might be taken ill, and the whole of his work must then fall upon the other Under Secretaries. I have been confined to my house for two months, and thrown all my work, during that time, upon Mr. Layard; therefore the present Under Secretaries would be obliged to keep themselves fully informed upon everything that was going on in that separate department which you imagine; and not only so, but that department having the working out of the details of commerce, the Secretary of State would be responsible for all such details, and he would have to look to them as closely as he would have to look at the political details which he now has to deal with. That is a duty which it would be perfectly impossible for any Secretary of State to undertake. I am sure if you were to call before you Lord Clarendon, Lord Palmerston, Lord Malmesbury, and Lord Russell, every one of them would tell you that the work of the Foreign Office is of that kind, and of that pressure, that the Secretary of State could not undertake anything more without either neglecting the one or the other, or entirely breaking down under it.

1485. With the exception of the substitution of one of the Under Secretaries for another in the case of illness, in which, I suppose, in the long-run, as much assistance would be received from the commercial Under Secretary as would be given to him, in what respect would you, for instance, have more work by having an Under Secretary upon commercial matters with whom you could immediately and personally communicate, instead of being a channel, to some extent, of communication with the Secretary who deals with commercial questions at the Board of Trade?—I should be very sorry indeed, as a public officer, that anything should be going on in my department of which I had not full and perfect cognizance. I should think it my duty, if the department which you imagine was created, to be as conversant

conversant with that department as I am with my present division; I think I should neglect my duty very much indeed if I were not so. You cannot have, in an office like the Foreign Office, such an entire separation between divisions as the question seems to imply.

1486. Can you tell us what details, with regard to trade, there are, which you would feel it necessary to be conversant with, which you are not conversant with now?—If we took no further work upon the Foreign Office on commercial matters, than we do now, there would be no use in creating such a department. If we were to take any additional work, that is to say, if, as I believe has been imagined, we were to take upon ourselves the entire management of the commercial relations of the country without reference to the Board of Trade, it would involve us in the necessity of acquiring a mass of knowledge which we could not acquire concurrently with performing our other duties.

1487. Can you inform the Committee, in general terms, what kind of knowledge you think it would be necessary to have?—For instance, if we were to be called upon, without assistance from the Board of Trade, to deal with any question affecting our manufactures abroad, it would be necessary, for the safe dealing with that question, to have a general knowledge of the bearing of it upon our general commerce, not only foreign, but domestic, because I apprehend that you cannot separate our foreign commerce from our domestic manufactures. To deal with any question of trade advisedly, it is, I imagine, necessary to have a full knowledge of the bearing of that question upon the general commerce of the country, and that is to be gained only by a department which devotes attention to the subject. But as we could not devote our undivided attention to it, we should still be always under the necessity of referring to the Board of Trade. With a professed view of expediting business, you would create three Departments, in fact, to do the work, instead of two. You would have a Department of Commerce in the Foreign Office dabbling in commerce, but unable to deal with important questions bearing upon the general commerce of the country, and under the necessity, therefore, of referring to the Board of Trade: you would not advance yourself in the least by the change.

1488. Am I to gather that you think it would be very unadvisable to have in the Foreign Office a Commercial Department, to be in personal communication with the Chief Secretary of State upon commercial matters?—Yes; we could not work it. I have known the Foreign Office a good number of years now; I know what the Foreign Office can do for its own purposes, and I believe that the Foreign Office is perhaps one of the most efficient offices under Government; but by placing upon us a duty which we were perfectly incompetent to discharge, you would swamp us altogether.

1489. Are you aware whether there is such a department in the French Ministry of Foreign Affairs?—I am perfectly aware that there is such a department in France, and in other countries also, but they do not act without the department which corresponds to the Board of Trade; in everything they act in concert. They have a commercial department in the French Foreign Office, and I believe in the Foreign Offices of some other countries; but in all countries all matters connected with trade are matters of consultation and communication with the Minister of Commerce—if there is a Minister of Commerce—or with the Minister of Finance, or with whatever Minister is substituted for the Commercial Minister. In France they have a Minister of Commerce, and are in constant communication with him.

1490. I suppose you would not be surprised to hear that in those countries all questions with regard to foreign commerce are conducted by this department in the Foreign Office, and that there is a special body of clerks in the Foreign Office, who have communication with what answers to our Board of Trade?—It is a mere departmental question of the distribution of business in the office. Every office must regulate its distribution of business in the manner which is considered best calculated for carrying it on. Foreign Offices abroad distribute their business in one way, and the English Foreign Office distributes it in another. I have had frequent communications from Foreign Ministers in this country, who wanted to know our system of carrying on business. I was talking about the Foreign Office to a gentleman, the other day, whose name I will not mention, one of the persons most qualified among the Foreign Ministers, from his previous life, before he became a Foreign Minister, to form an opinion; and his opinion about the Foreign Office was almost too flattering for me to repeat to this Committee.

1491. I think I understood you to say that there are no clerks in the Foreign Office, whose special business it is to attend to the correspondence with the Board of Trade upon commercial matters?—No, it is distributed through the several departments according to the countries to which it relates; and that is an arrangement that I consider very beneficial to the Foreign Office, and contributing very much to the quick dispatch of business.

1492. Do you consider that it would be an advantage to have special clerks in the Foreign Office to communicate with the Board of Trade?—No, a very great disadvantage.

1493. Mr. *Seymour FitzGerald.*] Why would you consider it a disadvantage as a departmental arrangement?—Because, as a general rule, the constitution of a specific branch for a specific object tends to inconvenience in the arrangements of the office, in the distribution of the clerks and in the removing of the clerks from one part to the other. I think it would also operate disadvantageously in other ways; I do not see how we could separate the commercial from the political branches of our correspondence; the two questions are so much blended together. I think, too, it would be disadvantageous as regards the clerks themselves that they should not, all in their several divisions, be made acquainted with what was going on in the commercial branch.

1494. Have you not now in the Foreign Office a special department for the slave trade?—Yes, there is a special department for the slave trade; but no political question is involved in the slave trade, strictly speaking. Commercial and political questions are often very much blended together, and it would tend to produce great inconvenience and confusion in any department if it were dealing with one question without a knowledge of the political bearing of it, and with another

E. Hammond, Esq.

10 June 1864.

question without a knowledge of the commercial bearing of it.

1495. *Chairman.*] Am I to understand that you consider that no political question was involved in the slave trade, raising as it did the question of the right of search with America?—It is a special subject, and, to a great extent, the correspondence relating to it partakes of the character of nations.

1496. Do you consider that commercial questions are more involved in political questions than slave trade questions were?—Yes, much more.

1497. Are you aware that the other offices, the Treasury, for instance, were in the habit of consulting the Board of Trade, and have now almost entirely ceased to do so?—I cannot say what is the practice of other offices; I am only prepared to speak for own. I know, of my own knowledge, that in some cases the Treasury are in communication with the Board of Trade. I know of two such cases at present.

1498. Do you mean by this that communications are made from the Treasury to the Board of Trade, or from the Board of Trade to the Treasury?—I imagine that the Board of Trade would consult the Treasury upon everything connected with finance.

1499. Are the communications not of this character that the Board of Trade consults the Treasury in consequence of having to give their own opinion, rather than that the Treasury consults them?—I would rather not surmise what the object of any such communications are.

1500. If you have not paid attention to what is done by the other offices, it is, I presume, of no use for me to ask why the Foreign Office should be less self-sufficing than the other offices?—I might answer that by another question. Do the Treasury act, in matters of trade, without consultation with the Board of Trade? I am not aware that they do, and I should be very much surprised to hear that they did.

1501. In case of deputations coming upon matters which are not commercial, such as the slave trade, or the protection of British subjects, you, or some one of the permanent officials, are generally with Lord Russell at the time that he receives them, are you?—No; I only remember once being with Lord Russell at the reception of a deputation from the Chamber of Commerce.

1502. I except deputations upon commercial questions?—That is the only occasion on which I ever remember being present with the Secretary of State to receive a deputation. I believe you were there on that occasion. I will not say positively that I have not been present on other occasions, but I think I have not been.

1503. I understand it is now the wish of the Foreign Office that deputations upon commercial matters should see them as well as the Board of Trade?—I am not aware of any wish to that effect being expressed. We are always very ready to see any deputation that is sent.

1504. I understood that to be the purport of the reply that was sent to the Chambers of Commerce?—It was anything but that; the reply was very ill-expressed, if that was the inference drawn from it. I was very sorry that the reply was not before the House when the letter of the Chamber to us was read; it was merely an accident that it was not delivered in the morning. The answer is this: "I am in the next place to state to you, that the Secretary of State for Foreign Affairs has always been, and will be ready to receive either from mercantile associations or from individual merchants, any communications on commercial matters, which they may desire to address to him directly; and upon all such subjects, the Foreign Office and the Board of Trade fully interchange information and opinions, with a view to arrive at sound and definite conclusions."

1505. What was intended to be conveyed by the expression, "be ready to receive"?—That the Secretary of State would be ready to receive them, if they wished to come. At the same time, I am glad to take the opportunity of saying that in the early part of the Session I understood that it was arranged that a deputation of the Chambers of Commerce should see Mr. Layard and myself upon matters now referred to this Committee, in order that we might talk them over, and see whether we could meet their views, and I was expecting for two months to see that deputation, but it never came; I believe it went afterwards to the Secretary of State. I was very sorry indeed that they did not come to the Under Secretaries, because it was a question, so to speak, of departmental arrangement, and we should have been only too happy to talk the matter over with them, and see if we could do anything, or suggest anything, to meet their views; all we wish to do upon these matters is, to facilitate the public business, and to meet the wishes of everybody as much as we can; we should have been very happy to receive any suggestions.

1506. Sir *Minto Farquhar.*] What was the date of that letter of yours?—It was a letter to the Association of Chambers of Commerce; it was presented to Parliament this year; the date of their letter was the 24th of February, and our reply is dated the 10th of March.

1507. *Chairman.*] Am I to understand, from what you say now, that it is, or that it is not, the desire of the Foreign Office to receive deputations upon commercial questions?—We shall be very happy to see any who choose to come. At the same time I may say that we cannot undertake to act upon their suggestions without taking the opinion of the commercial branch of the Government.

1508. Do you not think that there is some disadvantage in representations being made to two different offices upon the same question. Is not there a fear of those who make them making a different impression upon the two offices?—I see no disadvantage at all. I conclude that if they found a disadvantage, the Chambers of Commerce would not come to the two offices.

1509. Do you not think that if it turned out that the commercial bodies generally preferred going, chiefly and mainly, to that office which had to conduct the negotiations, rather than going to the Board of Trade, the fact of their doing so would render it more necessary to have the information in your own office?—Whether it is on one side of Whitehall or on the other side of Whitehall, I think, signifies nothing. In either case, the Secretary of State would have to consult with some department or another; either the Board of Trade in his own office or the Board of Trade over the way; I see no difference at all. The only difference, perhaps, might be, that he would have first to consult his trade department in his own office, and then to consult the other trade department also.

1510. Am

1510. Am I to understand you as saying that you do not think it makes much difference whether the Secretary of State is put into personal communication with those commercial gentlemen or not?—For the transaction of public business, it does not, nor for the transaction of the business which the gentlemen have in hand. It may be more satisfactory to them to speak to the Secretary of State than to the Board of Trade; but that is a matter for their own opinion.

1511. Is not a great deal of the information upon which the Secretary of State acts obtained by private communications with foreign ministers?—I should prefer that question to be asked of the Secretary of State himself. The question where the Secretary of State obtains his information is a question which I cannot answer.

1512. Do you object to state whether you are ever acquainted with such private information?—Understanding the question to be whether the Secretary of State ever tells me what has passed between him and foreign ministers, my answer is, that he frequently does.

1513. Does the Secretary of State acquaint you with private information obtained from the ministers abroad?—He may, or he may not, as the case may be: it rests entirely in his own discretion; I seldom ask him a question.

1514. Supposing such private communications refer to commercial matters, are they sent officially to the Board of Trade?—That is really a question which I am hardly able to answer; if I were to receive a Minute from the Secretary of State, desiring me to make such and such a communication to the Board of Trade, it would be executed by me without necessarily asking the ground upon which he gave his direction.

1515. Supposing that the Secretary of State has to act upon any political question upon private information, is it not the rule that he will commmunicate with you, or with any other official in his office from whom he derives his information?—There is no rule upon the subject; it is entirely in the discretion of the Secretary of State what he says to me, or what he asks me.

1516. If he had to communicate with the Board of Trade, would he not communicate direct with the President of the Board of Trade?—If the question was not discussed officially between the departments, he might discuss it with the President of the Board of Trade as he might discuss a question with the Prime Minister or with the First Lord of the Admiralty.

1517. Is it not the case, that upon purely political questions, the permanent officials of the Foreign Office receive from the Secretary of State such private information as he thinks fit to give them?—Necessarily.

1518. But upon commercial questions, is it not the case that the permanent officials, who have to do with them, receive that information from the Secretary of State, through his colleague, the President of the Board of Trade?—No; the Secretary of State would talk to me upon commercial as well as on political matters; it does not follow, because he talks to me upon a commercial matter that it is to be a subject of discussion between the Foreign Office and the Board of Trade.

1519. Supposing he did do so, the rule would not be that you would transmit the information you received to the Board of Trade?—I should transmit whatever he told me to transmit, but I should not do it upon my own responsibility.

1520. Do you think there is no disadvantage in the permanent official being acquainted with this private information; in the one case by being in direct communication with the Secretary of State, and in the other case through another person?—If the object to be attained in giving me the information was that it should be acted upon, of course it would come to me in the shape of a direction by the Secretary of State, to make a communication to the Board of Trade. But the Secretary of State may tell me things which pass between him and others, and also things that pass through his own head, which are not intended to be acted upon officially.

1521. With regard to the consuls, I suppose their promotion rests entirely with the Foreign Office, does not it?—It rests entirely with the Secretary of State. There is nothing done in the Foreign Office except by the Secretary of State; no subordinate official has any independent authority.

1522. Do you not think that the consciousness by the consuls, that their promotion rests with the Secretary of State, and not with the Board of Trade, will tend to make them less anxious to send home information upon trade, than they would be if their promotion rested with the Board of Trade, and not with the Foreign Office?—Certainly not. I apprehend there is no want of anxiety on the part of the consuls to do their duty, whatever department they represent. Perhaps the Committee will allow me to put on record the opinion given as to the consular body by the Consular Committee, which sat from the 13th April to the 27th of July 1858. The Honourable Member who was then Under Secretary of State, would bear me out in saying that the Foreign Office challenged complaints from every part of the country. We invited complaints from every part of the country. The Report says: "Your Committee are unwilling to separate without expressing their gratification at the testimony borne to the worth and character of the gentlemen now in the consular establishment of this country. Little disposition has been manifested on the part of corporate bodies, or individuals, to substantiate before your Committee any accusation of misconduct, or mal-administration, although especially invited to do so; but the few charges that have been brought before them have been of use in leading them to general inferences, and to such conclusions as will, they conceive, for the future prevent even the suspicion of such occurrences." There was a very sweeping charge made in this Committee against the consuls, and against the Diplomatic Body; and, I think, as a permanent officer of the Department under whom those consuls serve, I am bound to have that statement recorded here which was voluntarily given by the Committee that sat to inquire into the consular service, with the view of getting at the bottom of the subject.

1523. Do you think that there is no disadvantage in the consuls sending the despatches upon what is, after all, the greatest part of their business, namely, upon trade, to an office which has within its own department no official whose business it is to attend to trade, and which merely transmits such information to another office?—Not the slightest disadvantage in the world. I think, myself, that there is inconvenience in the system which has been allowed to obtain,

E. Hammond, Esq.

10 June 1864.

obtain, of having the consuls corresponding with the Board of Trade directly upon marine affairs. I will honestly say that if I had been Under Secretary a year sooner than I had been, when those instructions went out, I would have done my best to prevent them from going out of the office.

1524. Do you not think that it would be, in every respect, more advantageous for the consuls to be responsible to that office, and to seek their promotion from that office, which has the means of testing the value of their reports upon the principal part of their business?—The consuls have some other duties than merely those connected with trade. They give us general information upon everything that is going on which comes within their observation; as I said a little while ago, they report as to any naval movement, or any movement of troops that may be going on, or anything of that sort; all such things they would still be obliged to correspond with us upon; and it is excessively inconvenient to have a man corresponding with, and receiving instructions from, two different departments. I have always regretted the arrangement.

1525. You do not think there is any disadvantage in the consuls being made responsible to that office, which does not profess to be able to test the value of their reports upon the principal part of their business?—Not the slightest; we look very closely at the conduct of our consuls in everything.

1526. Mr. *Layard*.] Will you state what the duties of a consul are in general; has he not, besides attending to commerce, to protect British subjects, to look after the dockyard in the port where he may be, and, in fact, to attend, generally, to a thousand interests besides those of commerce?—Yes, everything which can interest the British community, which comes under his observation in the port where he resides, he is bound to look after, and report upon to the Secretary of State.

1527. Therefore, his purely commercial reports are merely a portion of his consular duties?—Yes.

1528. *Chairman*.] What are the exact duties of a consul?—According to the strict definition he is there for the protection of trade; that was the original strict definition; but in addition to looking after trade, he has the interest of shipowners to look after.

1529. Do you distinguish between the interests of shipowners and the interests of trade?—I answered the question, as I understood it, in the spirit in which it was put; everything connected with commerce he has to look after, as well as everything connected with the immediate interests of British subjects in those parts; in fact, it is very hard for me to give an exact definition of the various duties of a consul. I can only say, generally, that consuls are bound to look after everything involving the interests of British subjects at the port at which they reside.

1530. May I consider that the chief business of a consul is to look after trading matters?—By the original institution of the consular system it was so; but many things have been engrafted upon it connected with the interests of British subjects generally. The consuls now look after chapels and chaplains; they extend their protection to British subjects while living, and to their property when dead. They are in constant communication with the minister of the country in which they reside, to whom they are obliged to refer all questions connected with trade. If a case arises affecting a British shipowner, or his ship, they must seek redress, in the first instance, from the diplomatic representative of the Crown at the seat of Government; they have no direct communication with any authority, except the local authority.

1531. I suppose you have looked over the evidence which have been laid before the Committee?—I am conversant with it; I have looked through it.

1532. Have you read Mr. Behren's evidence?—Yes.

1533. Do you wish to make any remark upon a statement which he makes, that sometime before the Franco-Belgian Treaty there was a different opinion formed by the Board of Trade and the Foreign Office with regard to the wording of the Treaty of 1851?—I am very glad to have an opportunity of making an observation upon it. Mr. Behrens said that the attention of the Chamber of Commerce, at Bradford, was called, in 1856, to the right of Great Britain to be treated by Belgium on the footing of the most favoured nation. He said that, at that time, Mr. Wickham and the Secretary to the Chamber of Commerce were deputed to the Foreign Office and laid a paper before the Foreign Office, and then, to use his own words, "Mr. Hammond requested them to call again the next morning, because it was of so important a nature that he could not give an answer at once. The next morning the two gentlemen called again, and then they were told by Mr. Hammond that he had tried to pick a hole in the arguments (these were the words that he used), but could not do so, and that instructions should be given to Lord Howard de Walden accordingly." Then he is asked, "Did you, in consequence of having heard that from the Foreign Office, put yourselves in communication with the Board of Trade upon this matter?" His answer is, "No, for a day or two afterwards Mr. Wickham and myself went to Brussels; I do not know whether it was at the request or not, but, at all events, with the permission of Mr. Hammond." I do not think it would be thought necessary for any deputation to ask my permission to go at all. Mr. Behrens goes on, "We called at the Embassy at Brussels, expecting to find Lord Howard de Walden there, who, we thought, would be glad to receive commercial information from us, after having got his instructions from the Foreign Office. We were met there by the secretary, who stated that he had got a letter from the Board of Trade, saying that the Board of Trade took a different view of the terms of the Treaty of 1851, and, therefore, that our views could not be carried out, because they considered that we had no treaty right to be put upon the same footing as France." Mr. Behrens was then asked, "Then you had reason to believe that the Board of Trade took one view upon this question, and the Foreign Office another?" He said, "I had, of course, if I am to take Mr. Hammond as the exponent of the Foreign Office, and the letter which the secretary referred to as the exponent of the Board of Trade." The Committee will be surprised to hear that, during that conversation which was supposed to be held with me, I was at Paris. I was struck rather when my attention was called to the statement, and, probably,

bably, an Honourable Member present was somewhat surprised also, at hearing that I used that expression, "tried to pick a hole in the arguments, but could not do so." It is very unlike me to say that. I referred to a book I have at home, and found that on the 21st of August I went into Paris from Versailles, and remained at Paris till the 26th or 27th of August, on which day I came home and resumed my duties at the Foreign Office. So far, I hope I have satisfied the Committee that that conversation between myself and the deputation did not pass.

1534. Do I rightly understand that you never saw Mr. Wickham and the Secretary of the Chamber of Commerce at all?—I have looked through the correspondence of that year, and I find that the memorial they referred to came into the hands of the Foreign Office on the 23d of August, on which day I was in Paris.

1535. Did you see them at all?—I could not have seen them at all upon that day. The Committee will be perhaps a little more surprised to hear that the memorial was not presented personally at the Foreign Office at all; it was sent up in a letter from Mr. Wickham to the Foreign Office; the letter being dated from Kirklees, on the 22d of August, and received in London on the 23d. On the 30th of August, an acknowledgment was sent to Mr. Wickham, to say that the letter would receive immediate consideration. It was on that same day referred to the Board of Trade, and we got an answer from the Board of Trade on the 19th of September. I was then on duty. That answer was turned into a letter, and forwarded to Mr. Wickham on the 20th of September, and on the same day an instruction, in almost the same terms, was sent to our Minister at Brussels; and, therefore, I think the inference is, that the astonishment need not have been so great on the part of Mr. Wickham and Mr. Behrens on going to the Mission at Brussels, at receiving an answer which they already had in their own pockets. If you wish to have the answer which was sent to the Chamber of Commerce, I can lay it before you.

1536. Was it the case that no information was conveyed to Mr. Wickham and the Bradford Chamber of Commerce, or to either of them, that the Foreign Office took the view of the Treaty of 1861, that it did give the Favoured Nation Clause?—I can only answer for myself; I should be very much surprised to hear that it was; the only correspondence which I am aware of, having reference to the memorial which was received at the Foreign Office on the 23d of August, was the acknowledgment saying that it would be taken into consideration, and the following letter of the 20th of September, telling them the result of the consideration of their memorial, and that letter, if the Committee care to hear it, I will read.

1537. Will you read the letter?—This is our answer; I draughted this answer myself, because I had returned to duty then, and in the margin of this draft is written, "to be sent under flying seal to Mr. Wickham at Brussels to-night;" and the same day instructions were sent to Lord Howard de Walden. The letter is dated the 20th of September.—"Sir: I am directed by the Earl of Clarendon to acquaint you that the statements in the memorial of the Bradford Chamber of Commerce, which was received at this office on the 23d ultimo, respecting the differential duties to which certain articles of British manufacture are subjected in Belgium, have been duly considered by Her Majesty's Government; but I am to point out to you that the third article of the treaty between this country and Belgium, to which you refer, merely provides for the assimilation of the duty upon goods imported into Belgium from the United Kingdom in British and Belgium ships, and has no reference whatever to the amount of duty charged by the Belgium tariff upon British produce as compared with similar produce of other countries. Her Majesty's Government have, therefore, no legal ground for remonstrating with the Belgian Government on account of the terms on which certain French manufactures are admitted into Belgium being more favourable than those extended to similar articles of British manufacture; but Her Majesty's Minister at Brussels will, nevertheless, be instructed to continue his endeavours to induce the Belgian Government to relieve British commerce from the disadvantages under which it now labours in this respect."—(Signed) "*E. Hammond.*"

E. Hammond, Esq. 10 June 1864.

1538. Am I to understand that if the Bradford Chamber of Commerce has the impression that a different view was conveyed to them by the Foreign Office, it is a mistake on their part?—Certainly, in this particular instance.

1539. With regard to this correspondence as regards the commercial treaty between Great Britain and Belgium, you know that the Bradford Chamber of Commerce complains that its letter of 3d November 1860, was not acknowledged by the Foreign Office until January the 3d or 4th, although a second letter had been sent to the Foreign Office in the mean time, and that it was not forwarded to the Board of Trade until January the 5th, 1861; have you any remark to make upon that?—No; Belgium is not in my division; I really cannot give you any explanation as to what the reason was; I have no doubt there was a good and sufficient reason.

1540. I understood you, at the beginning of your evidence, to say that you made yourself thoroughly acquainted with what was carried on by the other Under Secretary?—That would not include matters of that kind; we should not think it necessary that our communications should go quite to that extent.

1541. I find, by this correspondence, that it was thought worth while to send this letter on, on the 5th of January, and there seems to have been some correspondence about it; can you give me any reason why it was not sent sooner?—No; I am very sorry, as a departmental question, that the letter was not acknowledged at once; I think we did apologise for it; it ought to have been acknowledged immediately.

1542. In page 2 of the Belgian papers there is a letter from the Board of Trade, making suggestions with regard to a possible treaty with Belgium, dated December the 31st?—There is.

1543. I need not ask you why there is no suggestion with regard to the representation of the Bradford Chamber of Commerce, because they had not received it; but there is a suggestion with regard to paper and salt; was that letter forwarded to our Foreign Minister, or was any representation made upon it to our Foreign Minister?—Not having the Belgian Department under me, I am unable to tell you; I have no doubt it was so, but I can only go upon our general

E. Hammond, Esq.
10 June 1864.

general practice in saying that it would have been forwarded, or a communication to that effect would have been made; but I really cannot tell you exactly how any particular letter has been disposed of.

1544. You do not know whether it was or was not?—No, I cannot say that it was not; in all probability, I should think it was.

1545. On January the 23d, you will find, in page 8, a letter from the Foreign Office to the Board of Trade, asking whether they would submit a draft of a treaty with Belgium, and on February the 5th, I find a reply from Mr. Bowring, with such draft. Can you tell me why there is no answer to that letter of Mr. Bowring to Lord Wodehouse, of February the 5th, 1861?—I did not prepare these papers for printing, and therefore I cannot tell you. There would not necessarily be an answer. We probably acted upon the letter. We should not think it necessary to answer a letter from the Board of Trade if we carried out their views.

1546. You do not know whether the purport of that letter was communicated by the Foreign Office to the Foreign Minister at Brussels?—I have no doubt it was, but I cannot undertake to say positively.

1547. I asked that question because there appears to be no acknowledgment of it in these papers?—It is possible that it may not be there, for I think the correspondence in these papers is principally between the two offices.

1548. There are a good many letters printed, and it is generally to be discovered by those letters what suggestions from the Board of Trade have gone beyond the Foreign Office, and what have not?—I should say generally, if you asked my opinion, that every suggestion coming from the Board of Trade was sent directly to Brussels, particularly in connexion with the negotiation of that treaty. Everything that could bear upon commerce as against Belgium would have been sent immediately. I am aware of the fact that for very many years before the date of those letters, we were pressing the Belgian Government.

1549. I find that there is a letter from the Foreign Office to the Board of Trade on May the 27th, enclosing a letter from Lord Howard de Walden of May the 20th; you will find it in page 11. That appears to have been the only representation that was made to the Foreign Minister at Brussels, with regard to this treaty since January the 5th. Can you explain why so many months were allowed to elapse without any representations being made through our Minister to the Belgian Government?—I cannot explain it. I suppose it was not thought expedient to make one; it is one of those cases in which the Secretary of State or the Government must decide upon the expediency and seasonableness of making a representation to a foreign Government. If I remember rightly, at that time we had a perfect knowledge that the Belgian Government would not enter into any negotiations with us till they had settled their affairs with France; and it is of no use pressing upon a reluctant Government to enter into a negotiation with you when you are quite sure that they will not do it.

1550. Do you state, as a fact, that you are quite sure that the Belgian Government had given you information before May the 20th that they would not enter into a negotiation with us until they had settled the treaty with France?—I can say that on the 25th of January, Baron de Vrière expressed his readiness to enter upon the negotiation, when the negotiation pending with France was concluded.

1551. Had the Belgian Government informed our Government that they would not enter into such negotiation until the treaty with France was concluded?—I think that comes to exactly the same thing. When they said they would enter into negotiations at a certain time, it was as much as to say that they would not negotiate before.

1552. Were they ever asked to do so?—We were pressing the Belgian Government for years about the disadvantageous footing on which English goods were placed by the differential duties in favour of France, and they always said that they could do nothing until the then existing French treaty had expired.

1553. I dare say you have read the evidence sufficiently to see that there is a strong conviction on the minds of one or two gentlemen who have given evidence, that if our Government had made representations to the Belgian Government between the 3d of November 1860, when they received the suggestion, or I may say, the warning, from the Bradford Chamber of Commerce, and May the 20th 1861, they would have been more likely to have obtained at once from Belgium a treaty similar to what was given to France, than if they had waited till afterwards. Are you aware whether efforts were made at that time to get from the Belgian Government a decided promise that they would give us the same treaty as they gave to France?—It was a promise of very long standing, that directly they were released from their engagements to France, they would put us upon the favoured nation footing. It was a promise that was always given in answer to our complaints. They continually said that they could not do it then, but that they would do it at a future time.

1554. Was the Foreign Office, during those months, at all aware, that there would be the danger of there being a strong party in Belgium, who would not be willing to give the same terms to England as to France?—We knew that the Government would not, and could not, negotiate with us, till they were free from their obligations to France. That was a known fact, and had been known for years.

1555. Was it known that they would not undertake to give the same treaty to us as to France?—They had always promised that they would put us upon the most favoured nation footing.

1556. Was the Foreign Office aware that there would be a strong interest in Belgium against giving a treaty to England?—Lord Howard de Walden reports on the 7th of January 1861, that, "I have already explained to your Lordships that the desire not to cause political agitation at this moment, by arousing the passions and apprehensions of conflicting interests, is the cause of the temporary postponement of the reform of the Custom House Tariff, as well as of projects of law for other important measures which the Government have in contemplation. Baron de Vrière has repeatedly made declarations to me, especially in the spring of 1859, as reported

reported in my despatches of the 28th February, 25th March, and 13th May 1859, that it was not the intention of the Belgian Government to grant in any future treaty, preferential advantage to French imports to the prejudice of those of a similar nature from Great Britain, and I have had no reason to doubt the sincerity of his assurances. I am at a loss to conceive from what authority the Chamber of Commerce have derived the information which has excited their apprehensions, expressed in the letters of the 3d November, as at that moment the instructions of Monsieur Liedts, the Belgian Plenipotentiary, had not been decided upon, and he was still at Brussels."

1557. Those apprehensions turned out afterwards to be quite true, did they not?—The Belgian Government did not act up to its engagement to us, in fact.

1558. Some months after this time, namely, 7th January, the Belgian Government did not appear to be willing to fulfil the promise which they had originally made?—No: but that could not be the fault of the British Government.

1559. Was the Foreign Office aware that it would have been, according to all common calculations, much easier to have pressed and urged that we should have the same treaty as France before the French Treaty was concluded, than afterwards?—We had already the promise that we should have it. I read the passage just now.

1560. At the same time?—We always considered it to mean at the same time. The promise was that—"that it was not the intention of the Belgian Government to grant, in any future treaty, preferential advantage to French imports." That, of course, implied that we should have the benefit at the same time, otherwise it was a preferential advantage.

1561. Do you not think that if there had been a commercial department at the Foreign Office, which had been in communication with the commercial bodies throughout the country, so long a time would not have been allowed to elapse as that between 5th January and 20th May, without warning our Foreign Minister of the danger of the Belgian Government not giving us the same treaty at the same time as to France?—No, I think the existence of such a department would not have made the slightest difference in the world.

1562. I find that, from the 10th July to the 28th October, there were seven letters from the Foreign Office to the Board of Trade, enclosing correspondence, and stating that Earl Russell was in constant communication with M. Van de Weyer; there was no reply from the Board of Trade to those seven letters, apparently?—Very likely they did not call for a reply. We are not in the habit of replying to a department when there is no occasion for it.

1563. Did you see M. Van de Weyer?—Belgium is not in my division.

1564. Were you aware that he was in communication with any of the officials at the Foreign Office?—It is one of those questions that I can hardly answer. I know that, as a Foreign Minister, he saw Earl Russell occasionally; I dare say he saw Mr. Layard. I do not know who comes and goes in the Foreign Office.

1565. I understood you to say that you thought one reason why it was impossible to have a commercial under-secretary in the Foreign Office was, that it would impose so much labour upon you to be acquainted with what that commercial under-secretary did; therefore, if the other under-secretary was in communication with M. Van de Weyer, how was it that you did not know what was going on?—I might be aware of the fact of something going on, but there would be no occasion for me to minutely inquire as to what passed.

1566. Was M. Van de Weyer put into communication with the Board of Trade?—I cannot tell you with certainty; but he may have seen the President of the Board of Trade. The general rule is that a Foreign Minister is not put into communication with other Departments of Government. The general rule is, that the Foreign Minister only communicates through the Foreign Office. If a Foreign Minister communicates with another office, we should take notice of it, unless we put him in communication with it ourselves. We think such communication is very inconvenient.

1567. Do not you think that in such a matter as a Commercial Treaty, upon the details of which a Foreign Minister found it necessary to have communication with one of the Under-Secretaries, it would have been of advantage for him to be in communication with one of the officials of the Board of Trade?—I do not see that any advantage would have resulted from it. I cannot say this of my own knowledge, but I think that the President of the Board of Trade was in constant communication with M. Van de Weyer, as well as Lord Russell, they being the Plenipotentiaries for the negotiation of that treaty. I think Mr. Milner Gibson signed the treaty. In a matter of trade negotiated in this country, the President of the Board of Trade is almost invariably associated in the full power with the Secretary of State.

1568. On page 25 you will find that, on November the 12th, you sent to the Board of Trade the Belgian draft of the Treaty of Commerce; can you say what had been done with the Board of Trade draft of the treaty, which had been forwarded to your office on the 5th of February preceding?—I am not able to say. I have no doubt that it was forwarded.

1569. Do you know whether it was forwarded;—I cannot say positively; as I said, the subject was not in my division, and therefore I cannot say.

1570. Am I to understand by that, that such a matter as the draft of a treaty being forwarded from the Board of Trade, to be transmitted as their suggestion for the basis of the British negotiation with Belgium, was not a matter of that importance that you considered it necessary, as Under Secretary, to be aware of what became of it?—No; the Under Secretary of the division would see to that. If I was in charge at the time, of course I should know; but I cannot pretend to say at this distance of time, with the multiplicity of business that I have to transact, what becomes of any particular paper in the office, even in my own division. So many papers pass through my hands, that it is impossible for me to give the history of every paper. The forwarding of that draft would be little more than the regular business of the department; my opinion would not be called for upon it. We should generally take a Board of Trade draft of a treaty,

E. Hammond, Esq.

10 June 1864.

except in the matter of form, as a thing to be acted upon as a matter of course. I may mention, with reference to the previous question, that M. Van de Weyer does allude in his letter of the 7th of November to conferences with Mr. Milner Gibson and Earl Russell jointly. That answers the question which you put to me. Mr. Milner Gibson, as representing the Board of Trade, and Earl Russell, as representing the Foreign Office, were in communication with M. Van de Weyer.

1571. Am I to understand from you, that M. Van de Weyer was in communication with one of the Under Secretaries of the Foreign Office as well as the Chief Secretary?—I daresay he saw Mr. Layard. I do not think you quite seize the position of the Under Secretaries. The Under Secretary has no direct authority; he acts entirely as the agent, or as a part, so to speak, of his chief.

1572. I do not for a moment suppose that he had authority?—A Foreign Minister very often comes and sees the Under Secretary of State; but it does not imply any divided authority between the Under Secretary and the Secretary of State.

1573. In the case of a negotiation upon details, do you think that a Foreign Minister and the Under Secretary will have conversation upon those details which will facilitate the conclusion of the treaty?—I do not know what may pass between Mr. Layard and M. Van de Weyer. Something may have passed upon the subject; but as a general rule, I should think that those discussions would have taken place with the negotiators.

1574. On November the 12th, I find that there is a letter from the Foreign Office to Sir Emerson Tennent, enclosing a letter of M. Van de Weyer to Earl Russell of the 7th of November, and asking for an opinion about it. There is a reply from the Board of Trade on the 23d of November, and it appears that Earl Russell on the 16th of December, that being five weeks after the receipt of M. Van de Weyer's letter, dated London, the 7th of November, embodies the reply of the Board of Trade in his letter to M. Van de Weyer. Do you think that so much time would have elapsed if there had been no need for communication between the two offices?—The question, as to the time when the Secretary of State acts upon an opinion, is not within my province; you must ask the Secretary of State the cause of the delay. I am not to judge or pronounce an opinion upon the conduct of the Secretary of State.

1575. I see, from Lord Howard de Walden's reply to Earl Russell's letter, that an answer was obtained from Brussels in five days. You do not think that it is within your province to make a remark upon the difference of time between the two cases?—The difference is simply this, that the one was considering, and the other was executing what had been considered; that makes a great difference.

1576. Lord Howard de Walden gives the opinion which the Belgian Government entertained upon Earl Russell's letter in five days, and Earl Russell is able in five weeks to give the opinion of the Board of Trade upon the letter referred to them?—I understand that you are making a charge of delay and negligence on the part of Earl Russell. I must, as Under Secretary of State for Foreign Affairs, ask you to call Earl Russell before you, and not require me to give an explanation of a charge brought against Earl Russell.

1577. I ask whether you consider that the need of having two offices to consult may not have led to this delay?—You must ask Earl Russell whether he considers himself competent himself to decide a commercial question without reference to the Board of Trade. If it is meant to bring a charge of negligence against Earl Russell, I must beg that he should be called, and that I, as Under Secretary of State, should not be required to answer it.

1578. With regard to the Italian correspondence, I think, as far as concerns Italy, that is within your division?—Yes.

1579. On page 2 I find a letter from the Board of Trade to the Foreign Office, dated February the 18th, 1862, in which the Board of Trade requests to be informed if the revision of the Italian tariff had been completed. They express the fear that it might be too late to entertain proposals for tariff modifications, on the ground that it is completed; and they wish to know whether it is or not?—I think they hardly say that. In the first paragraph they express an opinion as to a contingency; it will be "a subject of regret if any revision of the Italian tariff, which may result from negotiations now in progress between the Governments of France and Italy, should be completed without any reference to the special requirements of British trade."

1580. The whole purport of the letter is, as you will see if you read the last two clauses of it, expressing a fear that if the revision was completed without the English Government being aware of it, danger to English interests would happen?—Yes.

1581. Are you aware whether that revision was completed at that time, or not?—No, I believe it is still to be completed.

1582. Was that revision of the tariff which formed the basis of the Treaty between France and Italy, and which is now the tariff as between France and Italy, completed at that time?—There has been no revision of the tariff that I am aware of in the Italian kingdom. Our latest accounts were, that since the ratification of the Treaty, inquiries had been made of the Italian Government whether they were prepared to entertain the question of the revision of the tariff, and the answer was, that they did not propose to do so at present. This is the Despatch from Sir James Hudson, dated 11th of January 1864; there is another Despatch from him of the 16th: "Since the ratification of the Treaty, inquiry has been made of the Italian Government whether they are prepared to entertain the question of the revision of the tariff; the answer was, that they did not propose to introduce any such measure during the present Session of the Chamber, but that it would certainly be necessary in the next; and that the Treaty with France would make it indispensable to introduce numerous modifications of the tariff, but no expectation was held out of important changes."

1583. Are you aware that the Treaty between France and Italy did include some alterations in the previously existing tariff upon the importation of goods into Italy?—I am aware of it. Whatever alterations were made, we, under our Treaty with Italy, have the full benefit of them.

1584. Do

1584. Do you imagine that such a revision of the Italian tariff as was necessary before those alterations could be made, was completed at the time that the Board of Trade wrote you this letter of the 18th February 1862?—I am unable to say what may have passed at Turin or at Paris upon that subject.

1585. You do not know whether it was or was not?—I do not know it of my own knowledge.

1586. In consequence of this letter from the Board of Trade, on the 18th February, expressing a fear that it would be difficult for the Italian Government to modify their tariff after their treaty was concluded with France, did you make any representations to the Italian Government, asking them to inform you what position their tariff negotiation with France was in?—We were in communication with the Italian Government with reference to a treaty with Italy, and the answer we got was, I believe, a promise that we should have the most favoured nations' clause. But about that time, a gentleman came over to this country to communicate with us.

1587. This letter is dated February, 1862; I think that gentleman did not come over until some months afterwards?—He came in May, I think; I really cannot say off-hand, whether we did or did not make such a representation to the Italian Government as you speak of. All I know is, that on the 21st February, we told the Board of Trade that we were prepared "to instruct Her Majesty's Minister at Turin to enter into communication with the Italian Government on the subject, so soon as his Lordship shall receive from the Board of Trade, drafts of the treaties which the Board consider right and proper to be proposed, together with any observations and suggestions which they may desire to offer; and so soon also as he shall have received from the Associated Chambers of Commerce in this country, to whom, by his lordship's directions, I have addressed the letter, of which a copy is enclosed, a statement of their views as to the points which should be pressed on the Italian Government."

1588. I will read the last paragraph in that letter: "My Lords are, of course, unable to form any opinion as to the obstacles which may oppose such attempts" (that is, to anticipate negotiations), "or as to their probable success at the present time; but they cannot express too strongly their apprehension, if, during the revision of foreign tariffs, which appears to be the inevitable consequence of the policy which has been adopted by France, British interests are not carefully watched and strongly represented, that not only an opportunity may be lost, which may not be recovered for years, of securing for them important advantages, but that in some cases they may even sustain positive or relative injury from the changes which may be made in existing international arrangements. To prevent these consequences, it is of the highest importance that all the information which can be obtained connected with negotiations commenced by the principal commercial countries, should reach Her Majesty's Government before they have arrived at a stage which may (as they fear is the case with respect to those between France and the Zollverein and Italy respectively) seriously diminish the prospect of successful representations on the part of this country." Did you, in consequence of receiving this letter, try to ascertain from your minister at Turin whether or no this fear of the Board of Trade was well or ill-founded, that the arrangements of the tariff had, in fact, been completed, and therefore that the opportunity had been lost?—I think, upon the letter you have read, there was no communication. The Board of Trade stated (an abstract proposition of which nobody could doubt the truth), that it was very desirable, during the revision of foreign tariffs (applying it not to Italy alone, but to the Continent generally), to watch over British interests. In reference to Italy we did watch over British interests; we pressed for, and obtained from the Italian Government, the most favoured nation clause.

1589. That was afterwards?—Yes; but it is a part of my answer. I say that there was no negligence on our part; that we did the best we could, which was to obtain the assent of Italy to put us upon the footing of the most favoured nation. There are two powers negotiating together, France and Italy; can any man suppose that the French and Italian negotiators will shape their conduct by any representation which we may make to them with reference to our own interests. They are negotiating for their own interests, and look to their own interests; will they hamper and embarrass their negotiations by bringing in a perfectly different question, which is not raised in their negotiations? If they are satisfied with the rate of duty as between themselves, and are fixing it at 20 or 30 per cent., will France or other powers embarrass their own negotiations by contending, not for their own benefit, but for the benefit of England, their great rival, that the duty should be reduced to 15 per cent.? Of course they will not. Do men do that in common life? Would not two merchants of Leeds and Manchester, who were negotiating together, think it very unreasonable if a Sheffield man were to come in and say, "Whilst you are carrying on this negotiation, do negotiate for my hardware too."

1590. Were you aware that at this time the Italian Government was revising its tariff preparatory to a treaty with France?—I was not aware of it. I assume the contrary, from the fact that the tariff has not been revised except in so far as the negotiation with France is concerned. They might have considered what duties any particular article would bear; but there is nothing to be called a revision of tariff. You might just as well say that Mr. Cobden's original treaty, in which duties were agreed to be modified on either side, was a revision of the British tariff; it was not a revision of the tariff, in the proper sense of the word.

1591. Were you aware, that at this time they were entering into negotiations which might cause alterations in the tariff?—Of course; because it was reported to us.

1592. Then did the Foreign Office think it their duty, or did they not, to ask them, as a friendly government, to inform them what alterations they were making?—I should certainly not have thought it a duty to do so, because I should have thought it an impertinent interference in their negotiations.

1593. Am I to understand that you received no refusal from the Italian Government to communicate such information?—I am not aware whether we asked for the communication, or met with the refusal. It would not be usual, between Governments, to ask for it; and I do not, myself,

E. Hammond, Esq.

10 June 1864.

myself, count so much upon the generosity of governments as to suppose that they would liberally communicate to us the details of their negotiations, to enable us to step in and hamper and embarrass them.

1594. Mr. *Layard.*] Did we not endeavour to obtain a copy of the revised tariff, or the draft treaty, and were we not refused both by the French and Italian Governments?—There was something of the kind, but I cannot speak positively. We obtained it at last.

1595. *Chairman.*] Was it the case, that before the negotiation was opened between France and Italy, a temporary uniform tariff had been applied to the whole of the Kingdom of Italy?—I doubt very much that that had been the case; I thought there had been a different tariff in Naples and a different tariff in Tuscany.

1596. Are you not aware, that there was existing over the Kingdom of Italy, before the French treaty was completed, a temporary tariff, which applied to the whole kingdom?—There may have been; I am unable to say.

1597. You are not aware whether the alterations that were made by the Italian Government in their duties, were alterations made in such temporary uniform tariff?—That is to say, in a tariff which was made for the whole kingdom of Italy; I am not aware of it.

1598. You do not know, then, whether your office sent a copy of such tariff to the Board of Trade?—If we had it we should certainly have sent a copy of it to the Board of Trade. It is very difficult for me to speak from memory upon this point, and it is a question which I really was not prepared to be examined upon.

1599. You cannot tell whether means were taken by the Foreign Office to obtain the opinion of the Board of Trade upon a comparison of this uniform tariff with the former tariffs of parts of the Kingdom of Italy?—No; because, in the first place, I cannot say that I am aware that there was that uniform tariff established; I must first ascertain that.

1600. Are you aware that a new tariff was made by Naples in 1859-60, just before the dethronement of the King of Naples?—I am not prepared to speak to that; I was not expecting to be examined upon points of this kind, and therefore I did not come prepared.

1601. We wished to find what intercourse took place between the Foreign Office and the Board of Trade with regard to the Italian Treaty. We find that a certain intercourse did take place; but we do not find traces of other intercourse which we should have expected, and therefore I ask you this question?—The only answer I can give upon that point is, that I have not the slightest doubt in the world that the Board of Trade were kept fully informed of every matter connected with that negotiation which came within our knowledge. I can answer it positively, because I know the practice of the office; but as to answering whether any particular paper was communicated to the Board of Trade, unless I brought the registers of the office here, I could not do it. I cannot answer the question offhand.

1602. Are you aware that the tariff now existing in the Kingdom of Italy is higher, upon some English goods, in some parts of Italy, than it was before?—I am not able to speak upon these matters.

1603. You are not aware of it?—No; I say I am not prepared to speak on these matters.

1604. At the time when the Foreign Office were informed that a treaty was being made with France, which would, in all probability, settle the tariffs for some time with Italy, did the Foreign Office endeavour to obtain information from the Board of Trade, as to how far the fact of Italy having become a kingdom had, in some respects, injured the interests of British exporters by raising the duty in some parts?—I am not aware; I do not imagine that we should have asked that question.

1605. Do you not think that the time to have made such representations, that the fact of Italy having become a kingdom had, to some extent, injured English interests, was when you had reason to believe that a tariff arrangement was being made between France and Italy which would be a rule for other countries?—I do not think it would have been either useful or advantageous to try to thrust ourselves into a negotiation between France and Italy, with which we had no direct concern. In all probability, if we had tried to meddle with what was under discussion between those two powers, we should not have been very welcome.

1606. Are you not aware that the Italian Government had to deal not only with a foreign government, with which it was conducting a treaty, but had also to deal with its own subjects?—Certainly.

1607. Are you not aware, therefore, that it was not so easy to make constant revisions of a tariff as to make a revision once for all; and, therefore, if a revision was made preparatory to the French treaty, it would be more difficult to make a revision immediately afterwards?—That process is about to be undertaken by the Italian Government, and we have not heard that difficulty started by the Italian Government; on the contrary, they say that they must have a revision in consequence of the treaty.

1608. Am I not right in believing that they say that there will be very considerable difficulty in the revision?—They have stated to us what I have read to the Committee, namely, that it will be "indispensable to introduce numerous modifications of the tariff; but no expectation is held out of important changes."

1609. Then, it is decidedly your opinion that while they were negotiating with France was not the time at which it would have been advisable for our Government to represent that British interests were, in some respects, injured by Italy having become one kingdom?—I think no advantage would have arisen from it; and if no advantage had arisen from it, it would have been very injudicious to press such a point on a reluctant Government. Nothing is so injudicious as to force a foreign Government to a refusal; for you put those who have given the refusal in this position, that they must, for the credit of their own consistency, and for the satisfaction of their subjects, devise reasons for departing from any such refusal, when at last they may consent to negotiate.

1610. You speak of "a reluctant Government"; have you had proof given you that the Italian Government was reluctant?—I supppose that in all these negotiations, the Government you are treating with wants to make the best bargain they can.

1611. Did you attain information from our Minister at Turin, that they would do nothing?—

We

We knew that they would do nothing till they had settled the French Treaty.

1612. When was that known?—From the beginning; I cannot exactly say when; but everything was put off till the settlement of their treaty with France.

1613. When did you make the application to them to be allowed to know what alterations they were making previous to the French Treaty?—I cannot say that we ever made that application at all.

1614. You never made it?—I cannot say that we did.

1615. How was it that they came to inform you that they would do nothing until they had concluded the French Treaty?—Because we were wishing to have a treaty ourselves.

1616. When was it?—I cannot give you the precise date.

1617. Can you give me any idea of the date?—It must have been some time early in 1862, I suppose, by these papers, because I see on January the 31st, 1862, we ask Sir Emerson Tennent what should be done about our treaty with Italy. There was a formal letter, I see, on the 13th of April, from Sir James Hudson, saying that the Italian Government were "desirous of concluding a commercial treaty with Great Britain."

1618. That does not appear to be proof that they would not give you any information until they had concluded the treaty with France?—No; but I think you will find that it was not a question of information; that it was a question of concluding a treaty with us.

1619. My question was this, were you informed by the Italian Government, that they would enter into no negotiations with you, or give you any information with reference to their future tariff, until they had completed the treaty with France?—They said they would conclude a treaty with us when they had settled their affairs with France.

1620. When did they give you the impression that they would not do it until they had concluded a treaty with France?—The impression was conveyed by that statement.

1621. Would it not have been well, after receiving the letter from the Board of Trade of the 18th February, to ascertain whether that impression was well-founded or not?—In the beginning of the year 1863, M. Marliani stated in a private conversation, that the Italian Government was engaged in a tariff negotiation with France, and that until they had made progress towards that arrangement with France, it was not in their power to pursue the negotiation with us.

1622. What date was that?—M. Marliani came here in May 1862.

1623. Was that your first information that they would not enter into negotiations until they had completed the treaty with France?—I really cannot say.

1624. I find in this letter of the Board of Trade of 18th February, a suggestion that the commercial bodies should be communicated with, and on 21st February, there is a letter from the Foreign Office, stating that the Foreign Office will communicate with the Chambers of Commerce. As I have understood from you that the trade matters are conducted by the Board of Trade, I wish to ask why that communication was sent from the Foreign Office and not from the Board of Trade?—I believe, as far as I remember, that we had just had the interview with the deputation from the Chambers of Commerce in February 1862 (I will not be certain about the date); and, as a matter of courtesy to them, we made the communication direct to them ourselves.

1625. If you turn to page 5 of these papers, you will find there a letter again from the Board of Trade, dated 24th April, in reply to your letter of 17th April, stating that it was necessary to have information as to the negotiation, may I ask whether that information had then been asked for?—I cannot give a positive answer without referring; I have no doubt it was asked for; we got it from Paris.

1626. It was a long time afterwards, was it not, that you received it?—No; it was sent to the Board of Trade on the 19th May. On the 7th June we communicated to the Board of Trade a memorandum which had been placed in Lord Russell's hands by the Italian minister and M. Marliani.

1627. Do you not think that if Sir Emerson Tennent had been a commercial Under Secretary at the Foreign Office, the information would have been obtained from Turin some time before that, in reply to the question as to whether we should be allowed to know what was doing between them and France or not?—I do not believe that Sir Emerson Tennent would have had any more power of obtaining information than Mr. Layard and myself.

1628. In page 4, you will see that the Foreign Office writes to the Board of Trade that Signor Marliani is coming to England. When did he come?—We told them that on the 17th of April.

1629. When did he come to England?—He was to leave Italy on the 25th of April; I do not know how long he would be travelling.

1630. Do you know how long he stayed in this country?—I do not know; I never saw Signor Marliani. He was here on the 30th of May, I see.

1631. And on the 7th of June, I suppose, he was here, because on that day you write to the Board of Trade, enclosing a memorandum signed by Signor Marliani and the Marquis D'Azeglio?—Yes.

1632. Does not it appear by this memorandum that Count Marliani really came over here for the purpose of negotiating and arriving at the details of a treaty?—Yes, and he made proposals which the Government were not prepared to accept.

1633. However, on the 7th of June you sent to the Board of Trade a proposition preparatory to a treaty signed by M. Marliani and the Marquis D'Azeglio?—Yes.

1634. Did you get an answer to that memorandum from the Board of Trade?—I do not know; no answer appears in print. I cannot tell you; it is impossible for me to give you an account of everything that passed.

1635. If you run your eye over that memorandum, I think you will see that a suggestion is made for the reduction by us of certain duties upon Italian produce?—Yes.

1636. In order for the Board of Trade to give you an opinion about that, would it not be necessary for them to consult the Treasury?—I will not undertake to answer for the Board of Trade, what they may think it necessary to do; I can only answer for my own department, to the best of my ability.

E. Hammond, Esq.

10 June 1864.

1637. Do you consider it the duty of the Board of Trade to inform your office as to whether reductions can be made in British duties?—The Board of Trade would inform us, I presume, that a reduction could not be made, but it was a point which was self-evident, I believe, that we could not admit the reduction of those duties.

1638. In case you have to form an opinion as to whether it would be expedient for you to consent to the reduction of duties upon goods imported into England, do you consider that the Board of Trade is to guide you in such an opinion, or the Treasury?—If we referred to the Treasury, I presume the Treasury would tell us what to do upon a question of that kind. If we referred the question to the Board of Trade, I presume that the Board of Trade would obtain the information from whatever source they thought proper to seek it from, and inform us of the result.

1639. You do not think there is any advantage in getting the information direct from the Treasury rather than getting it through the Board of Trade?—If the information is equally correct, I do not think it matters either way.

1640. Would there be no time saved by your receiving the information direct from the Treasury?—Many things are involved in it. This was a point regarding the reduction of duties upon wine, I think; so far, it affected the Treasury. There was, also, the question of a reduction of duties upon manufactures. In these cases, it matters very little, I think, if we get correct information, whether we get it from one Government office or from another

1641. The reason I ask this question is, that that appears to be a very important memorandum sent by you to the Board of Trade, and I find no answer to it; it appears very possible that the reason why no answer was given was the delay in obtaining information from one office through another?—I do not see how we, if we had been a self-contained office for dealing with commercial questions, could have decided whether it was desirable to relieve from duties such things as bois à bruler, bois cercles, bois equarre, bois à lattes, bois manches de pelles, bois merrains, bois d'ébénistérie, céréales, fruits secs, and so on. That was a question entirely for the Board of Trade to ascertain from the Chambers of Commerce, I should have thought.

1642. If you observe in the paragraph before, the Marquis D'Azeglio proposes that the duties upon certain Italian goods imported into England should be reduced; would it not have been better for you to have obtained the information direct from the Treasury whether they could be reduced instead of obtaining it through the Board of Trade?—I should presume that the Board of Trade, in the first instance, would be the proper Board to ascertain what bearing the introduction of Italian paper would have upon the paper manufacture of this country; that would be the first object to be ascertained, I think.

1643. Do you not think you could have got that information quicker by applying to the Treasury?—If we had asked the Treasury what bearing the introduction of Italian paper would have upon the paper trade of this country, they must have gone to the Board of Trade to ascertain it. It would have been just the same thing, only inverted.

1644. Was Signor Marliani put in communication with the Board of Trade?—I believe he saw the President of the Board of Trade; and, therefore, he was put in communication with the President of the Board.

1645. You are not aware whether he saw any of the permanent officials of the Board of Trade?—No; the permanent officials, as I have already said, are wholly subordinate; the President, or other head of the department, is the person to be looked to in every department of Government.

1646. If a gentleman was sent over who was not himself the chief negotiator, to make arrangements for the negotiation of a treaty at the Foreign Office, would he not have been put in communication with the permanent officials at the Foreign Office?—No, with the Secretary of State, in the first instance.

1647. Would not the Secretary of State put him in communication with the permanent officials?—He might be put in communication with them; but the negotiation would be conducted by the Secretary of State.

1648. Would not the giving and getting information be reciprocally furnished between you and this gentleman, he being himself the chief negotiator. Signor Marliani was not the negotiator, I believe?—He and the Marquis d'Azeglio were joint negotiators.

1649. Did Signor Marliani come as a negotiator?—He signed this memorandum; it is signed by both Signor Marliani and the Marquis d'Azeglio.

1650. If it had been upon a political question that they had come, would he not, in giving and getting information, have been in communication with you at the Foreign Office?—No, certainly not.

1651. Not upon the details?—Not as a matter of course; he might see the subordinate officers, Mr. Layard and myself; but we probably would not be mixed up at all in the matter; that is the general rule. I do not mean to say that there may not be exceptions occasionally; but I do not think I ever saw Signor Marliani in my life.

1652. On July 14th, I see Mr. Layard writes to Sir Emerson Tennent, mentioning a suggestion of the Bradford Chamber of Commerce, that the Chambers of Commerce should be put in communication with Signor Marliani; do you know the reason why he was not put in communication with any of them?—I do not, indeed.

1653. If you turn to page 5, you will see that in a letter of the Board of Trade of April 24th, there is a draft of a treaty stated to be enclosed; it was described thus: "The enclosed draft of a Treaty of Commerce and Navigation which, in the opinion of this Board, may serve as a basis of negotiation with the Italian Government," was that draft ever sent on to Mr. West, or Sir James Hudson?—I have no doubt that it was at the time, although the instructions sending it on are not printed. Sir James Hudson had it, I know.

1654. Are you aware that the Board of Trade, having sent you a draft treaty on April the 24th 1862, on January the 25th 1863, Mr. West sends his draft treaty, and you forward it to the Board of Trade by the letter of January the 28th, and you receive in reply a letter from the Board of Trade, dated February the 3d, in which they say, "My Lords are unaware of the reasons which have led Earl Russell to substitute for that draft treaty the draft treaty which has been prepared under his Lordship's instructions by Her Majesty's Chargé d'Affaires at Turin." And then

then the Board of Trade give the reasons why they prefer their own draft to Mr. West's draft. I want to ask whether between April the 24th 1862 and February the 23d 1863, the Board of Trade's draft had ever been sent to our Minister at Turin?—My belief is that it was; but, as I say, I have not the papers to refer to. I think that when Mr. West sent that draft he had the other draft in the mission at Turin.

1655. Surely that must be a mistake, because I find on the 7th February 1863, a letter from yourself to Sir Emerson Tennent, in which you say: "It appears to Lord Russell that on political grounds it is very desirable to sign a treaty of commerce with Italy. He, therefore, proposes to send to Turin the draft treaty prepared at the Board of Trade in May last"?—Yes, you are right. There was a reason, although I forget what it was, for not sending it on at the time. I was looking for that particular passage, and I could not find it.

1656. What was the reason?—I cannot remember at the moment; there was some reason.

1657. Do you not think that it would have been very advisable for Mr. West or Sir James Hudson to have been aware of the views of the Board of Trade, which had been furnished to your office so long ago as early in the previous year?—I do not know whether they were aware of them. I will not say that they were not.

1658. The treaty, it appears, was not sent in?—No.

1659. Do you think that Mr. West would himself have sent home a different draft treaty, if he had been aware of the draft of the Board of Trade?—I will not say that he would not. A man sometimes substitutes one draft for another; he thinks his own draft would be more likely to carry out the object in view.

1660. It appears that he had not received it?—He had not received it.

1661. He sent home a draft of a treaty, and you appear not to have been aware that you had a draft in the office at the time?—Yes, we were perfectly aware that there was that draft in the office at the time; I remember the head of the Treaty Department calling my attention to it.

1662. Was not that draft treaty put aside when it was received, and lost sight of entirely, until you got the letter from the Board of Trade, of the 3d of February 1863, saying that they preferred their draft treaty?—No, it was not lost sight of; but it was thought undesirable to send it forward, for what reason I cannot tell now.

1663. Why were the Board of Trade not informed that the draft treaty was not sent forward to Turin?—It was not thought necessary to inform them.

1664. I understood you to say, that in these negotiations you constantly take the opinion of the Board of Trade?—Yes.

1665. Do you consider that it is not necessary for you, after taking their opinion, to inform them whether or no you forward the suggestions you received from them for a draft treaty, for instance, to the Minister at Turin?—No; they had given their opinion upon the question; whether we should act upon the opinion, must rest with the Secretary of State for Foreign Affairs.

1666. I think I asked you, early in your explanation, whether, in case of a difference of opinion between you and the Board of Trade, it was the rule to act upon their opinion, unless you gave them the reason why you did not, and received from them their comments?—I did not intend to convey the impression that that was the rule. If I remember rightly, I said that we did not necessarily wish to involve ourselves in an argument with the Board of Trade or any other department; that it was a question for the Secretary of State to decide as to the expediency of acting upon any suggestion of the Board of Trade when a suggestion was made to him; but that, if he did not act upon it, there was no necessity, that I knew of, for stating to the Board of Trade that he did not act upon it, and therefore entering into an argument with the Board of Trade, such argument resting upon a point of which the Board of Trade could know nothing, namely, political expediency at the moment.

1667. I think I understand you to say that it was the rule to do so?—No, not as you put it now. The rule is to consult the Board of Trade upon everything, but I think I said that the Secretary of State did not consider himself bound to defer implicitly to the suggestions of the Board of Trade.

1668. Can you give any political reason why Sir James Hudson and Mr. West should not have been informed of the views of the Board of Trade as to what should be the character of the treaty between us and Italy, whenever such a treaty was made?—We are not in the habit of sending out speculative instructions of that kind. As the time had not arrived for entering upon that negotiation, it was unnecessary to send a draft of treaty; it would be sent when the time did arrive.

1669. You will find in page 4, that the letter written by the Foreign Office, on the 17th of April, was this: "With reference to my letter of the 21st February last, requesting that you would move the Lords of the Committee of Privy Council for Trade to prepare drafts of treaties of commerce and navigation with the Italian Kingdom, such as the Board may consider right and proper to be proposed, I am directed by Earl Russell to enclose herewith, to be laid before their Lordships, an extract of a despatch from Her Majesty' Minister at Turin, stating that the Italian Government are about to send Count Emanuel Marliani to this country, for the purpose of negotiating a commercial treaty between Great Britain and Italy, and I am accordingly to request that you will move their Lordships to forward to Lord Russell, at their earliest convenience, the drafts which they may have prepared in pursuance of my above-mentioned letter." Then you get those drafts on April the 24th.?—Yes; and then we got Signor Marliani's declaration, that until they had made progress towards an arrangement with France, it was not in their power to commence negotiation with us. What possible use would there have been in sending out a draft treaty in the face of such a communication?

1670. Was the draft treaty ever shown to Signor Marliani?—I cannot say; it might, or it might not have been; but, in the face of that declaration, it was unnecessary to show it to him, or to discuss it with him, because he was not empowered to discuss it.

1671. Was it not possible that at any time the negotiation might begin at Turin, and, therefore, was not it advisable that Mr. West should have

E. Hammond, Esq.

10 June 1864.

before him the details of the treaty, such as were suggested by the Board of Trade, and that he, therefore, should not find it necessary himself to draw out the details as he did in the letter which he sent, dated January the 25th, 1863?—I should say that it would have been excessively inconvenient to let him have a draft treaty to propose to the Italian Government, because in the interval between the time it was sent out, and the commencement of the negotiation, various things might have occurred to induce the Government to change the draft. The proposing of a draft treaty binds the Government to that proposal, to some extent. We do not generally leave a draft treaty with a foreign Government, and bind ourselves at some future period to make that specific treaty with the Government.

1672. I do not ask whether it was advisable that you should have sent instructions to Sir James Hudson to have laid that treaty before the Italian Government, but was not it advisable that Sir James Hudson and Mr. West should have been kept sufficiently *au courant* with the wants of commercial men as to know what should be proposed when an opportunity offered?—It would be much better that they should not be so; they might have involved us in difficulties from which we should have had some trouble in extricating ourselves.

1673. Therefore, the possession of knowledge by them might have been decidedly disadvantageous, in your opinion?—Yes; they might have acted in a particular manner, supposing they were carrying out the views of the Government, and those views might have changed in the interval.

1674. I think that, in your letter of the 28th January, you do not say anything to the Board of Trade about not having forwarded their draft; does not that rather confirm the idea that the existence of the draft was forgotten?—Whatever idea may be entertained about it, I can only state, as a fact, that it was not forgotten, because I had a consultation with the head of the Treaty Department, who had possession of the draft, upon the subject of that draft, when Mr. West's Treaty came before us; and the gentleman who had charge of the matter, is not a man to forget anything; he is one of the most valuable men in the office.

1675. When you received Mr. West's letter, you were then in discussion with regard to the draft that had been given, as I understand?—No, we were not in discussion about the draft; the draft had not been forgotten, but it had not been acted upon.

1676. Was any step at all taken upon that draft, in any way, from the time when it arrived in your office until after you received Mr. West's letter with the new draft?—There was no step required to be taken; we had the draft in our possession, and there it was, ready to be used. If Mr. West had not sent his draft home, we should have taken up the Board of Trade's draft immediately when the time appeared opportune for entering upon negotiation with the Italian Government.

1677. Did you, in July 1862, receive a memorial from the Chamber of Commerce of Dundee with regard to the jute trade?—No doubt we did.

1678. Was that memorial forwarded to Mr. West or to Sir James Hudson?—Whether it was forwarded to Mr. West or not I cannot tell you, but I know that that question of the jute trade was mooted in the negotiations.

1679. That was in 1863; I now speak of 1862?—I cannot tell you whether it was forwarded or not to Mr. West, but it was a matter which would have come up, and did come up directly that the question of negotiation arose.

1680. Are you not aware that it is considered by those interested in the jute trade that it came up too late, after the arrangements had been made with France, and therefore could not be altered?—I cannot undertake to say what may be considered by the persons engaged in the jute trade; but if it is meant to be inferred that we should have got that privilege for the jute trade before, which we failed to get afterwards, that I am prepared to deny. I see nothing in the correspondence which I hold in my hand, at all to lead to the supposition that we should have obtained, by pressing it before, what we failed in obtaining afterwards.

1681. I find, in page 7, that on May the 26th you sent to the Board of Trade notes upon the commercial treaty between France and Italy, which had been obtained from France at that time, and you ask "That their Lordships will furnish him" (Earl Russell) "with any proposals that they wish to be made to the Italian agent now here;" if you look at those notes you will find that the old Italian tariff is altered with regard to linen fabrics, but that there is this expression, "jute not yet determined;" do you not think that, having received a memorial from the Dundee Chamber of Commerce, expressing their uneasiness and anxiety with regard to jute, and getting this information, that jute was not yet determined, that would have been precisely the time to have endeavoured to have made representations with regard to jute?—No, I do not think so, because the negotiation was not between England and Italy, or between England and France; it was between France and Italy, and the respective negotiators were consulting the interest of their own countries and the interest of their own manufactures.

1682. Do you feel quite clear that a Foreign Government, if friendly to us, would have refused to inform us what duty they would levy upon jute, it being clearly understood, that whatever duty they levied upon jute imported from France, they would levy upon jute imported from England?—If it was a question of generosity between two Governments, I am rather sceptical as to the existence of such a feeling.

1683. Are you not aware that there are no interests in Italy concerned in keeping up of the duty upon jute; that there is no manufacture of jute in Italy?—I believe jute enters into the composition of various articles, shirts for instance; I suppose there may be flax interests in Italy which would be adverse to any reduction.

1684. Are you not aware that it is almost impossible to suppose that there could have been any Italian interest in favour of a high duty upon jute?—I am not aware of the fact.

1685. Did you take any steps to ascertain, from the Minister at Turin, or from Mr. West, who gives information upon commercial matters, whether it was the case that there was an interest in Italy concerned in keeping up the duty upon jute; or did you put it as a matter of generosity upon the part of the Italian Government, to give such information?—I am not aware whether we did take steps to obtain that information or not; but

but it is a very unusual thing, in any negotiation between two Governments, for a third to interfere. Mr. Cobden would, I think, have been much surprised if, in negotiating between England and France, he had been called upon to stipulate for the interests of Belgium and Italy.

1686. Do you think that it would have been very unusual, and very unwise to have informed the Italian Government what would have been the advantages resulting from the jute trade with them, if placed upon a reasonable footing at the time when they were fixing the duty upon jute? —I think we should have gone very much out of our place if we had acted in that manner. Perhaps I may say, with reference to questions put to me a little while ago, with respect to our facilities of getting information about the negotiation which was going on between France and Italy, that I see in this letter from the Board of Trade, No. 20, page 16, that when we did obtain the treaties of commerce that were signed, we only obtained them so confidentially, that we were not allowed to communicate them to the Chambers of Commerce, or anybody. The letter says "With reference to your letter of the 16th February, enclosing copies of treaties of commerce and navigation recently signed at Paris between the French and Italian Governments, and to the remark of Lord Cowley, to which Earl Russell calls their attention, that this communication must be considered for the present as confidential." I think that that letter supplies the answer which I was not able to give you just now, that we had no previous knowledge of what those treaties were, and could not have obtained it; it was only after they were signed that we obtained them, and then so confidentially that the Board of Trade had a doubt from our letter, whether they might consult the Chambers of Commerce upon the subject.

1687. You are aware, are you not, that information as to almost all the details of the treaty, which information turned out to be correct, was obtained in the previous year. You will find it in page 7; it was forwarded on the 26th of May 1862?—Yes, it is very possible; but that was not the concluded treaty; that was the general basis of negotiation.

1688. It enters into great detail?—That is very possible; but it was not a treaty then; it was still under discussion between the plenipotentiaries.

1689. Do you not think that that was precisely the sort of information upon which it was desirable to consult the commercial bodies, as to whether their interests would be affected or not? —What the Board of Trade did with the information which we forwarded to them I am unable to say; but it must be borne in mind that in dealing with information obtained confidentially, you must be very careful, for you may commit people very seriously, and repay their confidence by injuring them.

1690. Will you turn to page 21; you will find a letter signed by yourself to the Board of Trade, in which it is stated, "If the draft here alluded to is the one sent home by Mr. West in the beginning of this year, and which is commented upon in your letter of the 3d of February last, Lord Russell understands that the Board of Trade would not be prepared to assent to it as it now stands." Do you think that Earl Russell could have had any doubt at all as to what draft Sir James Hudson was writing about, if Sir James Hudson had been in possession of the Board of Trade's draft, which was in your office?—If he had two drafts, I should think he might well doubt, having both Mr. West's and the other draft before him. If he had not received any decision of the Board of Trade upon Mr. West's draft, he would be in a very considerable doubt, I should say, which was the one approved of. At all events, I know myself that if I had sent an amended draft to Earl Russell, or any other person for consideration, I should hesitate very much to act upon an original instruction until I knew the decision upon my suggestion, that another draft should be substituted for it.

1691. Did Mr. Mallet go out from your office, or from the Board of Trade?—From the Board of Trade.

1692. Did he get his instructions from your office, to try and obtain reductions in favour of jute and other things?—We did not give him instructions; I presume that the Board of Trade gave him instructions. They say this in their letter of the 18th of May 1863: "It now appears from the examination of that tariff which my Lords have been enabled to make, that, with the exception of certain reductions upon a limited number of articles in which the French trade is especially interested, and of the introduction of *ad valorem* duties upon woollen tissues, it is substantially the same as that which has recently been, and still is, generally in force in the Italian kingdom." Perhaps the Committee will not object to know that the general feeling of the commercial bodies in this country, as shown by letters which I have here, was in favour of the Italian tariff, and that, although they would have liked to have had more, they were very well pleased that we should get the most favoured nation clause, which would give us the advantage of that tariff. I have several letters from Chambers of Commerce.

1693. Did you not receive also representations from several Chambers of Commerce, stating that they thought that better terms ought to have been obtained?—We may very possibly have received such representations, because I suppose it would be very difficult to find any terms which would be perfectly satisfactory to all interests; you could never get terms good enough, I think.

1694. Are you not aware that the Manchester trade thought themselves, to some extent, put in a worse position than they were in before with Italy, by this tariff confirming the temporary Italian tariff, which, I think, you were not aware of?—No.

1695. With regard to Spain, if you refer to Mr. Behrens' evidence, at page 6, there is a mention there of a Bill brought into the Spanish Cortes; when did you communicate that Bill to the Board of Trade?—I have no doubt that it was communicated; I cannot tell you the exact date; I have no doubt we could give it.

1696. Were you informed of the decree of the 14th of February 1863?—I have no doubt that we were.

1697. Did you communicate that to the Board of Trade, and when?—No doubt we did communicate it, according to the regular practice.

1698. Are you acquainted with what has taken place with Sweden?—That is in my division.

1699. Did you receive a memorial from the

E. Hammond, Esq.

10 June 1864.

Bedford Chamber of Commerce, on or about the 13th of November, in reference to that tariff?—I will ascertain it. If we did receive it, I can answer for it that it was communicated to the Board of Trade.

1700. Mr. Allhusen says, in page 2, that he has been informed by some Member of the House, that a memorandum, with regard to the communications between the Board of Trade and the Foreign Office, has been sent to the Foreign Office; do you know anything of such a memorandum?—We searched for it and could not find it; if he would give us the date we might do so; it is a vague assertion. I may say, that the character of all the evidence I have seen is, that it is all surmise, speculation, and not facts. It is impossible to deal with surmise and speculation. Let us have facts, and we will deal with them. I think hardly a single fact has been stated, in the whole of the evidence given before the Committee that I have read. As you mention Mr. Allhusen's name, perhaps I may observe on rather an unfair inference which he attempts to set up against the Foreign Office in his memorandum. I wish to remark that Mr. Allhusen would have it inferred from the fact, that a communication was made by the Board of Trade to the Chamber of Commerce on the 13th of December 1861 respecting negotiations at Berlin, that it was only on that day that Lord Augustus Loftus's despatch of the 16th of November was communicated to the Board of Trade; the fact being, that the despatch was received on the 18th of November, and communicated to the Board of Trade on the 21st of November. So much for the inference that Mr. Allhusen wished to be drawn to the prejudice of the Foreign Office. I think what I have said is a satisfactory answer to it.

1701. Mr. *Pender.*] You said that you understood that the Chambers of Commerce were all perfectly satisfied with the Anglo-Italian Treaty?—I did not mean to say that all were; I said some of them were.

1702. Have you any letters from Chambers of Commerce stating that they were satisfied with that treaty?—I have. This is an extract from a memorial from the Dewsbury Chamber of Commerce: "23rd April 1864. The council of the Dewsbury Chamber of Commerce have had under consideration your Lordship's communication of the 17th March 1863, and the copy of the Franco-Italian Treaty of Commerce enclosed therewith. After a careful perusal of the latter document, the Council are gratified to find that the principle of *ad valorem* duties has been in part adopted by the Government of Italy on the importation of woollen fabrics into that country." This is from the Bradford Chamber of Commerce: "24th March, 1863. The council of the Bradford Chamber of Commerce beg to acknowledge the receipt of a circular from the Foreign Office, dated the 17th instant, transmitting a copy of the commercial treaty lately concluded between France and Italy. A careful examination of this document enables the council to inform your Lordship that the terms of this treaty, in so far as they concern woven fabrics of wool or of wool mixed with other materials, are perfectly acceptable to our manufacturers, and that they may safely be introduced in a similar arrangement which this council is happy to learn is about to be entered into with the Government of Italy." This is from the Newcastle-on-Tyne and Gateshead Chamber of Commerce: "24th March 1864. I am instructed by the committee of this Chamber to acknowledge the receipt of the letter which, by direction of Earl Russell, you addressed to this Chamber, under date of the 17th instant, and of the enclosure (a copy of the Commercial Convention between France and Italy) which it contained; and I am further instructed to say that, in the opinion of this Chamber, the tariff appended to the Convention would confer advantages on the manufacturers of this country, provided that, by the existing treaties between Italy and this country, British produce is entitled to all the benefits conferred by what is called the 'most favoured nation clause'; and I am also directed to inquire whether this benefit is secured by existing treaties." At that time we had not the most favoured nation clause, but we have it now. Then comes the memorial from the Batley Chamber of Commerce: "8th April 1864. I have had the pleasure of laying your communication of the 17th ultimo, and a copy of the Commercial Convention and Tariff recently concluded between France and Italy, which accompanied it, before the Council of this Chamber of Commerce. The Tariff has been perused and considered, as far as it affects the trade of this district, and the members of the Council are of opinion that a similar treaty with similar duties, between this country and Italy, would be a great boon to this town and district. The duty on woollens is fixed by the treaty at 15 *s.*, being considerably less than half the present rate. The council would suggest, however, that, in addition to a stipulation that the duties on woollens shall for the present be not more than 15 *s.* per cent., the proposed treaty shall also contain a clause, stipulating that the United Kingdom shall always be on the same footing as the most favoured nation. The council will be obliged by your laying this communication before Earl Russell." This is from the Huddersfield Chamber of Commerce: "Huddersfield, 15th April, 1864. 1st. The tariff rates imposed by the Franco-Italian Treaty on the import of goods into Italy, would not be considered objectionable as between this country and Italy, for the productions of this district, if accompanied by a proper classification, which would include all the varieties of woollen goods produced in this district under one denomination at the duty rate of 10 per cent. *ad valorem*, with the option of paying a specific duty of one franc 60 centimes per kilometre." Then comes the memorial of the Edinburgh Chamber of Commerce: "20th May 1864. The Chamber of Commerce of Edinburgh having had under consideration a copy of the commercial convention and tariff recently concluded between France and Italy, desire, at the request of the Foreign Office, to offer the following observations:—The Chamber have to remark that the articles in the Convention are exceedingly liberal, and are in general such as the commercial community of this country desire to have with every other nation, and the Chamber do not feel called on to suggest any alteration or addition to the clauses of it, in the view of the same being incorporated in a Convention with this country. The Chamber do not feel called on to suggest any alteration in the duties imposed on any of the other articles in the Tariff, and are gratified at the liberality of the export duties, especially

especially that rags are altogether exempt from duty." I think that bears me out in what I stated.

1703. *Chairman.*] Have you got copies of the memorials from the Chambers of Commerce?—After these passages which I have read the memorials went on upon other points.

1704. Mr. *Butler-Johnstone.*] Have you anything from Manchester?—No.

1705. *Chairman.*] Have you copies of the memorials of those Chambers of Commerce who were not satisfied?—I saw none on looking through the papers. This is the memorial from the Leeds Chamber of Commerce: "The Chamber has learned with satisfaction that the Prussian and Italian Governments have each promised that whatever advantages are given to French commerce shall be extended to that of this country. This Chamber would on no account ask Her Majesty's Government to seek for better terms from Prussia or Italy than are given to other countries; but if this promise is to be held as meaning that any treaty made by them is to be applied, as it stands, to British productions, it will only be kept in the letter but not in the spirit, and grave injustice will be done to this country. Her Majesty's Government cannot too carefully guard against following merely in the wake of France in the matter of rates of duty on particular articles. The Chamber is well aware that France stands, in some respects, in a more advantageous position than this country in seeking for commercial treaties. This country has voluntarily, and we think wisely, abolished all protective duties on foreign productions, without waiting for reciprocal action on the part of other countries. It has, therefore, fewer commercial advantages to offer in return for concessions by others, and has to depend mainly on the force of reason and examples. France has, on the other hand, a highly productive tariff, and can meet concession by concession. In some cases this doubtless enables that government to take the initiative more advantageously, though it is hoped that not merely our example and the success which has attended our own legislation on commercial matters, but also the great influence which this country has, is such as to justify us in expecting that Her Majesty's Government will be able to protect British commerce against any attempts to place it at a disadvantage.

1706. Have there been any representations from other Chambers, that their interests were prejudiced by the Anglo-Italian Treaty?—I am not aware; there may have been. All I meant to say was, that on looking through the correspondence I found these, and I thought the Committee would like just to know what was said about the treaty. I have only given extracts from the memorials. I may say, generally, that the rest of the memorials had reference to things which were desirable; but that it did not follow, because they were desirable, they were to be obtained.

1707. Mr. *Kinnaird.*] You have every reason to think that the country is well satisfied with the treaty, have you not?—Yes.

Martis, 14° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. S. Beaumont.	Mr. Gregory.
Mr. Cobden.	Mr. Henley.
Sir M. Farquhar.	Mr. Kinnaird.
Sir S. Fitzgerald.	Mr. Layard.
Mr. W. E. Forster.	Mr. Pender.
Mr. M. Gibson.	Mr. C. Turner.

WILLIAM EDWARD FORSTER, Esq., in the Chair.

EDMUND HAMMOND, Esq., called in; and further Examined.

E. Hammond, Esq.
14 June 1864.

1708. *Chairman.*] You stated, I think, at the last sitting of the Committee, that you did not see Mr. Wickham and the Secretary of the Bradford Chamber of Commerce with regard to the Belgian Treaty on the 23d of August 1856; I had the impression that you thought you had not seen them at all at that time; did you see them in the month of September?—I have now ascertained that I saw Mr. Wickham in the month of September. I do not know Mr. Darlington by sight; but if Mr. Wickham was accompanied by any gentleman, I must have seen them together.

1709. You have no recollection of having given to them the impression that you took the same view with regard to the favoured nation clause that the Bradford Chamber of Commerce did?—I have not the slightest recollection of that.

1710. You have no recollection of having used the expression, "I tried to pick a hole in the argument, but could not do so"?—Not the slightest.

1711. Mr. *Layard.*] Will you be good enough to state what actually did take place with regard to that memorial?—On the 23d of August a letter from Mr. Wickham was received, inclosing that memorial. It was dated Kirklees Park, Mirfield, Yorkshire, 22d August 1856. "My Lord,—I have the honour to transmit to your Lordship a memorial from the Chamber of Commerce, Bradford, on the subject of our treaties with Belgium on mercantile matters, to which I have to request the early and serious attention of your Lordship. The manufacture of worsted goods, carried on to an immense extent in the borough which I have the honour to represent, suffers much from the unjust duties imposed by Belgium on that species of goods from this country, as compared with those charged for similar goods from other countries, and all I am anxious to obtain for my constituents is, that they should be put, as regards Belgium, on the same footing as similar manufacturers from other countries are.—I have, &c. (signed) *H. W. Wickham*, M.P. for Bradford." It is addressed to "The Right Honourable the Earl of Clarendon, K.G." The memorial which accompanied that letter is the memorial referred to by Mr. Behrens, and, I may say, the only memorial between that time and September which we received on the subject. I will not read the whole memorial. The point is this: "That your Memorialists doubt whether France is entitled to such preference, and submit that she is not so entitled, because your Memorialists deny the right of Belgium to grant it after the 10th of August 1852, without the same being immediately extended to England, inasmuch as it would destroy the position and the rights of England acquired by her treaty of 1851, to be placed upon the same footing as the most favoured nation." That memorial was enclosed in a letter received at the Foreign Office, on the 23rd of August. We acknowledged that letter to Mr. Wickham, and, in obedience to Lord Clarendon's order, on the back of the letter, we told him that it should have immediate attention—"Copy to Board of Trade—ask to be favoured with opinion before sending to Lord Howard de Walden." That is the pencil mark; I forgot to bring the draft of our letter that went to the Board of Trade, on the 30th of August, simultaneously with the acknowledgment to Mr. Wickham. On the 11th of September, Mr. Wickham writes again from Kirklees, Mirfield, to this effect:—"My Lord, I am about to attend the Free Trade Congress, at Brussels, on the 22nd instant, which I do at the request of several of my constituents at Bradford. They are anxious that I should also take the opportunity of my visit to that place of seeing our Minister, Lord Howard de Walden, and explaining personally to him the disadvantages under which the Bradford manufacturers labour as regards the introduction of their goods into Belgium, as compared with similar goods from France. Under these circumstances, I take the liberty of writing to your Lordship to ask you to be so good as to give me a letter of introduction to Lord Howard de Walden, and in the event of your Lordship's compliance with this request, to ask further that such letter may be sent to me here, so that I may receive it on or before Wednesday next. I have further to ask that your Lordship will be pleased to favour me and a member of the Bradford Chamber of Commerce with an interview at the Foreign Office, on Friday, the 19th instant,

instant, on the subject of the treaties between this country and Belgium. Should it be inconvenient to your Lordship to receive us, would your Lordship arrange an interview for us with Lord Shelburne or Mr. Hammond. — I have, &c. *H. W. Wickham.*—The Right Honorable The Earl of Clarendon, K.G." On the 16th of September, I wrote to Mr. Wickham to this effect:—" Sir, In reply to your letter of the 11th instant, I am directed by the Earl of Clarendon to inclose to you a dispatch addressed to Lord Howard de Walden, Her Majesty's Minister at Brussels, instructing him to afford you every assistance in his power in furtherance of the objects of your visit to Belgium. Lord Clarendon desires me to add that he shall be unable to see you and another member of the Bradford Chamber of Commerce, on Friday next, as he is absent from town; but, in obedience to His Lordship's directions, I shall be happy to do so at any time on that day, after two o'clock, at which it may suit your convenience to call." This was the letter of introduction written to Lord Howard de Walden, dated the 16th of September also: " My Lord, Mr. Wickham, M.P. for Bradford, has stated to me that he is about to attend the Free Trade Congress at Brussels on the 22d instant, and that he is anxious to have an opportunity of explaining personally to your Lordship the disadvantages under which the Bradford manufacturers labour in regard to the introduction of their goods into Belgium as compared with similar goods from France; and I have accordingly to instruct you to do all in your power to further the objects of Mr. Wickham's visit to Belgium." No doubt that was signed by myself, but unfortunately, as has happened in other cases in our office, there is no signature to the draft. This was Mr. Wickham's letter of the 18th September 1856: " Sir, I have the honour to acknowledge the receipt of, and to thank you for your letter of the 16th instant and its enclosure, and to inform you that I propose to call upon you at the Foreign Office to-morrow, at quarter past 2 o'clock. I shall be accompanied by Mr. Darlington, the Secretary to the Bradford Chamber of Commerce, and the object of our interview will be to have some conversation with you prior to our proceeding to Brussels, on the memorial, which I had lately the honour to forward to Lord Clarendon from the Bradford Chamber of Commerce, on the treaties now existing on commercial matters between this country and Belgium.—I have the honour to be, Sir, your obedient servant, *H. W. Wickham.* Edmund Hammond, Esq." Then, on the 19th of September, the Board of Trade wrote to us in answer to our letters of the 30th of August: " My Lord, I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 30th August, transmitting, by direction of the Earl of Clarendon for the opinion of this Board, a copy of a letter from Mr. Wickham, M.P. for Bradford, enclosing a memorial from the Chamber of Commerce at that place on the subject of the duties levied in Belgium upon British manufactures. This question has, as Lord Clarendon is aware, for some time past occupied the attention of this Board and the Foreign Office, and has formed the subject of repeated representations to the Belgian Government; the memorialists are however mistaken in supposing that the present unequal treatment of certain British manufactures in Belgium, as compared with similar manufactures of France, is in any way an infringement of the provisions of the commercial treaty now in force between this country and Belgium. The third article of that treaty to which they refer, merely provides for the assimilation of the duty upon goods imported into Belgium from the United Kingdom in British and Belgian ships, and has no reference whatever to the amount of duty charged by the Belgian tariff upon British produce as compared with similar produce of other countries. My Lords consider that it is desirable that this misapprehension should be pointed out to the memorialists, as, if it be allowed to remain, it must naturally diminish their confidence in the vigilance of Her Majesty's Government in protecting the interests of British trade. Although, however, Her Majesty's Government has no legal ground for remonstrance with the Belgian Government on account of the more favourable terms upon which certain French manufactures are admitted into Belgium than are extended to similar produce of the United Kingdom, they have more than once submitted to the Belgian Government that the perpetration of this inequality is both inequitable as regards the trade of the United Kingdom, and inconsistent with the sound and liberal views which the Government of Belgium have evinced in many of their recent commercial reforms. In reference to this subject, I am to request that you will lay before the Earl of Clarendon the enclosed copy of a letter which this Board has received from the Bradford Chamber of Commerce in reply to a communication which had been made to them with a view of obtaining any information which it might be in the power of the Chamber to supply upon the points referred to in Lord Howard de Walden's Despatch of the 11th April last, transmitted to this department in Lord Wodehouse's letter of the 14th of that month. My Lords addressed at that time a similar communication to the Chamber of Commerce at Leeds; and, in the hope of obtaining from that body a more satisfactory reply than that of the Bradford Chamber, had delayed the transmission of the latter letter until the present time. As, however, no reply has been received from the Leeds Chamber, my Lords conclude that they are not disposed to furnish the required information, and they can only regret that it is not in their power to supply Lord Howard de Walden with any detailed account of the rate of duty, *ad valorem*, levied in Belgium upon this class of British manufactures. I have the honour to be, my Lord, your Lordship's obedient servant, *T. H. Farrer.*"—I did not think it necessary to bring the enclosure. The letter is dated the 19th of September, it was received in the office on the 20th of September; whether it came to my house on the evening of the 19th, or was sent to the office on the morning of the 20th, I cannot say, but, on the 20th of September, I wrote this letter to the Bradford Chamber of Commerce. In the margin I see—" To be sent under flying seal to Mr. Wickham, at Brussels, to-night."

E. Hammond, Esq.

14 June 1864.

1712. *Chairman.*] Was that after you had seen Mr. Wickham and Mr. Darlington?—Yes, after I had seen them on the 19th of September, that is to say, the Board of Trade's letter being dated on the 19th, this letter was dated on the 20th. I cannot say when it was written, my own impression is that it must have been written early in the morning; at all events, I wrote it on

E. Hammond, Esq.

14 June 1864.

the spur of the moment, that there might be no delay, being very anxious that Mr. Wickham, in going to Brussels, should have all the assistance we could give him.

1713. Do you remember having seen Mr. Wickham on two days?—It was stated in the evidence that I had seen him on two days; it is very possible, but I have no recollection of doing so; one of the statements was, as Mr. Behrens graphically described it, that Mr. Wickham and Mr. Darlington went to the Mission at Brussels, and were astounded on receiving from the Secretary the information that the Board of Trade took a different view from the Foreign Office. Now the Despatch and letter were dated the same day and sent by the same mail; the letter is dated 20th of September 1856, it is to the Bradford Chamber of Commerce, and to be sent, as the margin says, "Under flying seal to Mr. Wickham, at Brussels, to-night." "Sir, I am directed by the Earl of Clarendon to acquaint you that the statements in the memorial of the Bradford Chamber of Commerce, which was received at this office on the 23d ultimo, respecting the differential duties to which certain articles of British manufacture are subjected in Belgium, have been duly considered by Her Majesty's Government; but I am to point out to you that the third article of the treaty between this country and Belgium, to which you refer, merely provides for the assimilation of the duty upon goods imported into Belgium from the United Kingdom in British and Belgium ships, and has no reference whatever to the amount of duty charged by the Belgium tariff upon British produce as compared with similar produce of other countries. Her Majesty's Government have, therefore, no legal ground for remonstrating with the Belgian Government on account of the terms on which certain French manufactures are admitted into Belgium being more favourable than those extended to similar articles of British manufacture; but Her Majesty's Minister at Brussels will, nevertheless, be instructed to continue his endeavours to induce the Belgian Government to relieve British commerce from the disadvantages under which it now labours in this respect." This is a note to Lord Howard de Walden: "20th September 1856, Mr. Hammond presents his compliments to Lord Howard de Walden, and begs that he will have the goodness to give the inclosed letter, sent under flying seal for Lord Howard de Walden's perusal, to Mr. Wickham, M.P. for Bradford, who is the bearer of a letter of introduction to Lord Howard de Walden." Then, on the same day, 20th September, we wrote this Despatch to Lord Howard de Walden, it is in my handwriting also. In the margin of this letter is the instruction to the clerk, "To go to-night." "My Lord, with reference to your Lordship's Despatch, No 38, of the 11th of April last, and to the correspondence which I have at various times had with your Lordship on the subject of the differential duties levied in Belgium upon British manufactures, I inclose for your Lordship's information a copy of a further memorial on the subject from the Chamber of Commerce of Bradford;" that memorial being dated 23d August, according to the marginal note, "together with a copy of a letter from the Board of Trade, conveying the opinion of their Lordships on the statements of the memorialists, and also inclosing copy of an answer previously received by the Board of Trade from the same chamber of commerce to an inquiry made by the Board in consequence of your Lordship's Despatch, No. 38." That was the letter from the Board of Trade, dated the 19th of September; the one that I have just read; "Your Lordships will perceive that the Board of Trade are of opinion that the third article of the treaty of the 27th of October 1851, on which the memorialists rely, merely provides for the assimilation of the duty upon goods imported into Belgium from the United Kingdom in British and Belgian ships, and has no reference whatever to the amount of duty charged by the Belgian tariff upon British produce as compared with similar produce of other countries, and that consequently Her Majesty's Government have no local ground of remonstrance with the Belgian Government on account of the terms on which certain French manufactures are admitted into Belgium being more favourable than those extended to similar articles of British manufacture; nevertheless, your Lordship will continue to press upon the Belgian Government that the perpetuation of this inequality in the treatment of the produce of England and France is not only inequitable as regards the trade of the United Kingdom, but also inconsistent with the sound and liberal views which the Government of Belgium have evinced in many of their recent commercial reforms; and you will express the earnest hope of Her Majesty's Government that British commerce in Belgium may be relieved from the disadvantages in this respect under which it now labours."

1714. I suppose the Committee is to understand, that having refreshed your memory by referring to the papers, you now find that you did see Mr. Wickham and Mr. Darlington upon the memorial that had been forwarded?—Yes; I saw them upon that memorial, but they did not present me a memorial. If you remember that was the point I took, that Mr. Behrens stated that Mr. Darlington and Mr. Wickham presented me a memorial, upon which I said I could not give them an opinion at once, but if they would come to me to-morrow morning I would give them an opinion.

1715. Mr. Behrens states, "We have no document to show that, but Mr. Wickham and our secretary were the deputation to the Foreign Office, and laid our paper before the Foreign Office, and Mr. Hammond requested them to call again the next morning because it was of so important a nature that he could not give an answer at once." Am I to understand that your impression from that was, that Mr. Behrens meant to state that the memorial was first brought to the attention of the Foreign Office when Mr. Wickham and Mr. Darlington called?—Certainly.

1716. Then the mistake appears to have arisen from Mr. Behren's meaning that the deputation called with respect to the memorial, but you supposed that he was stating that the memorial was first brought at that time?—It is not a question of supposition; it is no inference of mine; it is Mr. Behren's own statement.

1717. Mr. *Layard.*] Is not Mr. Behrens's statement that "Mr. Wickham and our secretary were the deputation to the Foreign Office, and laid our paper before the Foreign Office, and Mr. Hammond requested them to call again the next morning because it," that is to say, the paper, "was of so important a nature that he could not give

give an answer;" is not that statement contrary to the fact?—It is not correct.

1718. *Chairman.*] Then the mistake appears to have arisen from Mr. Behrens's having given you the impression by stating that he and Mr. Darlington "laid our paper before the Foreign Office," that he presented the memorial for the first time then?—It was not to me, it was to the Committee that he gave the impression. In fact, it is not only an impression, it is a distinct and positive statement.

1719. Did you intend to convey to the Committee the impression that you had not seen Mr. Wickham and Mr. Darlington upon the memorial?—What I stated was, that at the time when that memorial was said to have been presented to me, I was not in England, and therefore it could not have been presented to me.

1720. Therefore, you did not wish to convey to us the impression that you had never seen those gentlemen upon the question?—Not in the least. I was only looking to the statement which I had to answer.

1721. As Vice-President of the Bradford Chamber of Commerce, I have obtained an extract from their Minutes of the 27th October 1856, in which the secretary states, "The Council have just had read to them in the Minutes of the meeting of the 25th August a memorial addressed to Lord Clarendon on the subject of the Belgian tariff. That memorial was forwarded by Mr. Wickham to his Lordship, who has since acknowledged its receipt. On passing through London, *en route* to Brussels, Mr. Wickham, M.P. and the Secretary had an interview with Mr. Hammond, the Under Secretary, at the Foreign Office. He stated that he had carefully gone through the memorial with a view to see if he could pick a hole in it, but that he was unable to do so; that the memorial was then under consideration at the Board of Trade, and their decision would have been sent in a post or two to Lord Howard De Walden, our Ambassador at Brussels;" have you any recollection of having used those words or having intended to give the impression conveyed by those words to those gentlemen?—I cannot see how I could possibly, on the 19th of September, have spoken of a memorial, which was merely presented, or intended to be presented, on the 27th of October.

1722. This is an extract from the minutes of the Bradford Chamber of Commerce, giving their account of what had happened previously to the 27th of October; this extract is to this effect: "The Council have just had read to them the Minutes of the meeting of the 25th of August;" referring to the memorial which was addressed to Lord Clarendon, have you any recollection of having given to those gentlemen the impression that you agreed with their view, as expressed in these minutes of their meeting of the 25th of August?—The memorial was dated the 22d of August; I can certainly have no recollection of anything that was stated to have passed with me on the 22d August; but if Mr. Wickham says distinctly, that when I saw him I used the expression imputed to me, I will not contradict him; and if he will also say that he saw me on the 20th of September, after seeing me first on the 19th, and that I had on the former day received from him for consideration a paper that was not then presented to me, I will not contradict him; but I must say that it seems to me very unlikely, knowing myself (and probably some honourable Members present know my character sufficiently well to confirm me in this), that I should give an off-hand opinion upon a paper as it was put into my hand, and still less likely that I should give an opinion upon a matter which involved not merely a question as to the interpretation of a treaty upon which the opinion of the law officers might have to be taken, but involving also a question of commerce, on which the Board of Trade's opinion had been asked. On the 20th of September, if I saw those gentlemen on that day, I most probably had the answer of the Board of Trade before me; I have told you the substance of my own impression, but if Mr. Wickham says that I used that expression, I will bow to Mr. Wickham, and acquiesce in what he says, because I have no document to prove that I did not use it; only, I think, as it was the first time that I had the pleasure of seeing Mr. Wickham, it is very unlikely that I did use it.

1723. Are you aware that the memorial upon which the deputation of the Bradford Chamber of Commerce saw you, on that day, was the memorial which had been previously sent to Lord Clarendon, about which Mr. Wickham writes, in his letter appointing an interview?—I presume that it was, because Mr. Wickham asked to see me upon that memorial.

1724. Mr. *Henley.*] I gather from what you said that you were not certain whether you had read the letter which you stated had been received from the Board of Trade, conveying their opinion, before you saw Mr. Wickham and the other gentlemen?—I cannot say that I am certain, because very often, in the practice of the office, a letter from a department comes in perhaps at 6 or 7 o'clock in the evening. If I was there, I should open such a letter, and if it was a matter which was pressing, like this, I should have taken it home, and dispatched it at once, without first sending it into the office; it is my constant habit to do that to expedite business. But if I received it on the 19th of September, it might have come in quite late, just before I left the office, or it might have followed me to my house. All I can say is that it was docketed as received in the division on the 20th of September; and both those two letters of the 20th, that to the Bradford Chamber of Commerce, and that to Lord Howard de Walden, were in my own handwriting, which shows that there was a great anxiety on my part to avoid delay. I may be allowed to presume that my anxiety arose from knowing that Mr. Wickham and Mr. Darlington were going immediately to Brussels, and that I was therefore desirous that there might be no delay; and that, whether they went on that day, or whatever the day might be on which they went, they might have their letters at Brussels simultaneously with the instructions which reached Lord Howard de Walden. I speak more from my own habits of doing business than from a distinct recollection of what passed two years ago. Such are my habits, and any gentleman who knows my way of conducting business in the office, knows that such are my habits.

1725. *Chairman.*] This extract from the Minutes of the Bradford Chamber of Commerce states, that the secretary says that you had informed him and Mr. Wickham that "the memorial was then under consideration at the Board of Trade, and their decision would be sent in a post or two to Lord Howard de Walden, our Ambassador at Brussels." Do you recollect having

E. Hammond, Esq.
14 June 1864.

having stated that?—I do not recollect it; something of that kind may have passed, but if I did say it before the answer from the Board of Trade was received, it is very unlikely that I gave a decided opinion upon it, as Mr. Behrens said, and promised that the instruction should be sent to the Minister at Brussels, without having seen the reply from the Board of Trade.

1726. Mr. *Henley.*] If that conversation did pass, the inference would be that you had not then read the answer you received from the Board of Trade, would it not?—It might or might not be so. But as I knew that the question was before the Board of Trade, I think it would have been very wrong in me to have prejudged the opinion of the Board of Trade, to whom the question had been referred.

1727. Mr. *Layard.*] It depends upon whether the interview referred to by Mr. Behrens, was on the 19th or the 20th, does it not?—Yes; it depends upon that. But even supposing that I had seen Mr. Wickham for the second time before I got the Board of Trade's letter, the scene represented as occurring at Brussels could hardly have taken place, for Mr. Wickham, when he went to the Mission, must either have had in his pocket or received in the Mission, when he was there, my letter to the Bradford Chamber of Commerce, seeing that both that and the letter to Lord Howard de Walden were dated the same day.

1728. *Chairman.*] Mr. Behrens says, "We called at the Embassy at Brussels, expecting to find Lord Howard de Walden there, who, we thought, would be glad to receive commercial information from us after having got his instructions from the Foreign Office. We were met there by the secretary, who stated that he had got a letter from the Board of Trade, saying, that the Board of Trade took a different view of the terms of the Treaty of 1851"; was not it the case that you sent the letter to Mr. Wickham to the care of the secretary at Brussels?—Lord Howard de Walden, I see by the correspondence, must have come away on leave just about that time, but the Secretary of Legation was the chargé-d'affaires.

1729. Was not it the case that you sent the letter to Mr. Wickham under his care?—Yes.

1730. Would it not be the case that Mr. Wickham would first receive that letter from you when he called at the secretary's office or at the Embassy?—It would depend upon whether the secretary gave the letter to Mr. Wickham when he came into the room, or sent it to his house; it does not appear from his statement when he received it.

1731. Why do you think that Mr. Behrens was wrong in saying that when he saw the secretary, he was surprised to find that a different opinion was held?—Because the two letters went simultaneously.

1732. How do you gather from Mr. Behren's statement that that was not the case?—If they had received my letter, they could not have been surprised.

1733. Was not it the case that Mr. Behren's surprise was not at being told that the Foreign Office took a different view when he called upon the secretary, but at finding that you, in consequence of the information which you had received from the Board of Trade, took a different view from what had been taken when you saw Mr. Wickham and Mr. Darlington?—They were officially informed of the opinion of the Board of Trade, which, of course, being conveyed to them in that manner, was approved by the Foreign Office.

1734. Mr. *Layard.* When Mr. Behrens said that you requested them to call the next morning, because the memorial was of so important a nature that you could not give an answer at once, you naturally inferred from that, that he meant that that memorial had been, for the first time, laid before you then?—That is the inference drawn from Mr. Behren's evidence. It is very unlikely that I should have made that observation upon a memorial which had been before the office for a month.

Henry Wickham Wickham, Esq., a Member of the House; Examined.

H. W. Wickham, Esq., M.P.

1735. *Chairman.*] I need not ask you whether you are Member for Bradford; you were Member for Bradford in 1856, were you not?—Yes.

1736. In consequence of representations that had been made to you by the Bradford Chamber of Commerce, did you, by appointment, wait, with Mr. Darlington, the Secretary of the Bradford Chamber of Commerce, upon Mr. Hammond, in the month of September 1856, on your way to Brussels, with respect to the memorial which had been previously sent to Lord Clarendon, with regard to the Belgium Treaty?—Yes, that was so.

1737. Can you give us any information with regard to the conversation between you and Mr. Hammond?—I really do not, at this distance of time, recollect the exact words that were used, or the conversation that took place, but I do perfectly well remember Mr. Hammond saying, on the occasion of the second interview, when we called the morning after the first interview, that he could not find any fault, or words to that effect, with the arguments used by the Bradford Chamber of Commerce.

1738. Mr. *Layard.*] Do you remember on what day you went to the Foreign Office?—No; I remember getting the letter which has been referred to at Brussels.

1739. Do you remember whether that letter was given to you by the Secretary of Legation or sent to you?—I think it was given to me by him.

1740. He did not state that there was any difference of opinion between the Board of Trade and the Foreign Office, did he?—No; I had afterwards interviews with Lord Howard de Walden before I left Brussels.

1741. You did not find any unwillingness upon the part of Lord Howard de Walden or the Secretary of Legation, to go into the question, did you?—No, quite the contrary. Lord Howard de Walden corresponded for two or three years afterwards with me upon the subject, and when the alteration took place he wrote to tell me of it. He was continually communicating with me whenever he had anything to say.

1742. Therefore, there was no desire to avoid entering into commercial questions, either on the part of Lord Howard de Walden or the Secretary of Legation at Brussels?—Not at all.

Edmund Hammond, Esq., further Examined.

1743. Mr. *Layard.*] I think, in your last examination, you promised to give the Committee some information upon three points, namely, the date at which the Bradford memorial, with respect to the Swedish Treaty, was sent to the Board of Trade, when the Spanish Decree and Bill about the tariff were sent to the Board of Trade, and with regard to the application of the Sardinian tariff to the Italian kingdom before the Treaty with France?—The Bradford memorial, with regard to the Franco-Swedish Treaty, was received at the Foreign Office on 14th November 1863, and sent to the Board of Trade on the 5th December; but we were already in communication with the Board of Trade upon that subject, and we still are so.

1744. I think it was stated that a Bill and a Decree had been passed by the Spanish Government; will you give an account of when we received information of that Bill and Decree, and what, to the best of your knowledge, is the state now of those measures?—The Queen of Spain's Decree and revised tariff, which were first printed in the "Gazette" of Madrid, were received in London on the 9th December 1862, from Sir John Crampton. The draft of revised tariff was appended to the Decree. It was then a project of the Ministers, which was submitted to the Queen of Spain, upon which her Decree was given; it was not a law, it was a project. That was sent on the same day to the Board of Trade; that is, on the 9th December. The principal modification consisted in a re-adjustment of the valuation of merchandise made in 1849, and it was expected by the Minister of Finance that a considerable reduction in the then rate of duties would be effected, without any departure from the law of 1849. The effect, as regarded the alteration of duties upon iron, was to reduce them from 11 *l.* or 12 *l.* a ton to 4 *l.* a ton, and there was every prospect of British iron competing successfully. What I am going to state now is rather a confirmation of what I said in my last examination. A strong opposition was raised by the ironmasters against this reduction, and deputations from Catalonia, Malaga, and other provinces repaired to Madrid to remonstrate against the enforcement of the Royal Decree. The result appears to have been a modification of the original scheme only to the extent of two alterations as regards refined sugar, and the duty on iron, by one-half, up to the 1st March 1864; that is to say, that the strong opposition raised by the ironmasters, and the other deputations to Madrid only produced that result. The despatch reporting these modifications was received on the 3d of January 1863, and sent to the Board of Trade on the same day. The project of the law for the customs reform was first received on the 12th of January, but it only came in Spanish, a translation being promised by the first opportunity. The translation of the Bill was received on the 27th of January, and sent to the Board of Trade on the 26th of February; but that Bill did not pass into a law. Nothing appears to have been actually done in the country upon the Customs Bill.

1745. Can you give the dates at which those various measures, which were brought before the Spanish Chamber, were sent to the Foreign Office, and the dates at which they were communicated to the Board of Trade?—I have a long list here of all the correspondence upon commercial matters with Spain, from the end of 1862 up to the present time, which I can put in, if necessary.

1746. That list proves, does it not, that no delay took place at Madrid in forwarding to this country every public announcement of any change which had taken place, and that no delay took place in this country in forwarding that information to the Board of Trade?—I can only answer positively, as far as the Foreign Office is concerned. Although I have no reason to suppose that any unreasonable delay ever took place in forwarding any information from Madrid, I cannot positively answer that of my own knowledge, because, with reference to one of these cases, a communication that was published in the "Madrid Gazette," in December, does not seem to have been officially communicated to Sir John Crampton until some months afterwards, when he sent it home. I want to speak as accurately as I can upon a subject of this kind, therefore, I make that reserve.

1747. I think the other day there was some confusion in your mind which arose from the questions put to you by the Honourable Chairman, with reference to the Italian tariff; are you aware whether, before the conclusion of the treaty between Italy and France, there had been a revision of the tariff in Italy?—No, there was no revision properly so called, according to my understanding of what a revision is, that is to say, going through the whole of the tairiff with a view to general alteration.

1748. Will you state to the Committee what has been the state of our tariff relations with Italy from the commencement of the Italian war?—In August 1859, Signor Farini, was appointed Dictator of Parma and Modena; and on the 6th October following, he issued a Decree, in the name of King Victor Emanuel, in which he declared the Sardinian tariff of 9th July 1859, to be in force, in those Duchies, from the 10th of October of that year. On the 8th of October of the same year (1859), the Government of Tuscany, in the name of King Victor Emanuel, issued a Decree, in which it also declared the Sardinian Tariff of 9th July 1859, to be in force in Tuscany from the 20th of October of that year; but this appears to have been done as a temporary measure only, although it was not so stated in the Decree. In November following, a Commission, composed of agents from Piedmont, Central Italy, Parma, Modena, Romagna, and Tuscany, met at Florence, charged to examine the tariff of each of the abovementioned States, and to form a new tariff which might be applied to the whole country then united, at least temporarily, under the sceptre of King Victor Emanuel. The result of the labours of this Commission is not to be found, however, in the correspondence of 1859–60; but in August 1860 a new Sardinian tariff for textile fabrics was issued by the Sardinian Government. In March 1860, the States of Parma, Modena, Tuscany, and Romagna were annexed to the Kingdom of Sardinia. In May 1860 a revolution broke out in Sicily; the king fled to Gaeta, and Garibaldi entered Naples in September

E. Hammond, Esq.

14 June 1864.

tember following. On the 24th of that month Garibaldi issued a Decree, in which he declared the Customs' tariff, which was in force in the remainder of the Kingdom of Italy, was to be observed in the Continental provinces of Southern Italy from the date of that Decree, and a copy of the Sardinian tariff of 9th July 1859 was annexed to that Decree. In October 1860, Naples and Sicily were also annexed to the Kingdom of Sardinia; and on the 26th February 1861, the King of Sardinia was proclaimed King of Italy, which title was recognised by this country on the 1st of April following. On the 17th of January 1863, a commercial treaty was concluded between France and Italy; and on the 6th August following, a similar treaty was concluded between this country and the kingdom of Italy. By a French Decree, dated 20th January 1864, the provisions of the treaty between France and Sardinia were declared to be extended to Great Britain. I was very anxious to state this clearly before the Committee, and I made furthur inquiry at the Board of Trade, and this is the result of that inquiry: "as far as it is possible to give a positive answer to your question, these are the facts, no separate tariff for the whole of Italy has been issued in the sense to which you seem to refer." That was as a general amalgamation. "But on October 24th 1859, the Foreign Office wrote to the Board of Trade, stating that the tariffs of the duchies had been assimilated to that of Sardinia. Again, on the 24th October 1860, the Foreign Office wrote, stating that the Neapolitan Tariff had, with certain (very few) exceptions, been assimilated to the same (Sardinian) tariff. Since that time we have received no further information as regards the consolidation of the Italian Tariff. The Board of Trade was informed by the Foreign Office on the 5th and 21st November 1859, of the establishment of the Commission to which you refer, and I believe that the result of the deliberations of that body was solely to fix the rates of duty on textile manufactures. I only assume this to be the case, as we have no positive information on the subject. The date of the law fixing the duties on textile manufactures was 18th August 1860, so that it could not apply to the Neapolitan dominions."

1749. In your previous examination you were under the impression, were you not, that the question put to you applied to the new revised tariff, applicable to the whole of Italy, and not to an extension of the Sardinian Tariff?—That was my impression. I spoke doubtfully, for I was puzzled by the question.

1750. Will you give the Committee, succinctly, an account of the relations between the Foreign Office and the Board of Trade, showing how the correspondence is carried on?—The Foreign Office communicates to the Board of Trade everything that comes within its walls connected with Foreign commerce, either as regards commerce between this country and Foreign nations, or between Foreign nations themselves, or the internal commerce of Foreign countries. Such information, as far as it reaches us, is communicated as soon as practicable; all our Consular reports are sent to them, they see them immediately. The Consuls send their reports in duplicate to save time; the reports of the secretaries of Legation, the Board of Trade see the orignal, and when they have disposed of them, we print them that they may be laid before Parliament, and circulated amongst the Chambers of Commerce. Of course, I cannot say what becomes of those papers when they get into the Board of Trade, but I apprehend that they are duly examined, and that the Board publishes those notices which are necessary for the general information, and make those communications which are necessary to Chambers of Commerce or individuals. If any doubts arise, and they wish for further information or communication with Foreign Governments, they write to us saying what they wish to know. In all these cases the Secretary of State being equal to, but independent of, the President of the Board of Trade, must exercise his own judgment as to whether it is expedient to send on their communications or not. As a general rule, we take the Board of Trade's view as a matter of course, and either send a copy of the letter of the Board of Trade, which is the idle way of doing it, or turn the letter of the Board of Trade into a Despatch, which is perhaps the most correct way.

1751. Then, supposing that a question is submitted to the Foreign Office upon matters of trade or commerce, you refer that question to the Board of Trade for their opinion?—Yes; if there was a palpable complaint made of wrong done to a British merchant abroad, which was so evident that we thought we wanted no opinion, we should communicate upon it at once with our Minister. That would be a question not of trade generally, but a complaint of wrong done. If we thought it involved a question of law, we might refer it to the Law Officers of the Crown or to the Board of Trade, if we thought we wanted their advice as to its bearing upon particular questions of law or Trade.

1752. There is a distinction between asking the Board of Trade their opinion upon a matter which refers exclusively to trade and acting upon a wrong done to a British subject, even though it were in a matter of trade?—Yes; that would be the only case in which we should act by ourselves; because we are so very careful in the office not to commit ourselves to any precipitate step, that, if there was any doubt in our own mind whether the law officers should be consulted or whether the Board of Trade should be consulted, the decision would always be in favour of consulting either of them.

1753. Is there any distinction between the mode in which the Foreign Office communicates with the Board of Trade and that in which it communicates with the Home Office, the Admiralty, the India Office, the Treasury, and the law officers of the Crown?—Not the slightest. So far as the law officers are concerned, we only ask for an opinion; we do not communicate knowledge to them; but to all the other Departments we communicate all that concerns them, just as we do to the Board of Trade.

1754. Do you think that the correspondence with the Board of Trade is larger than the correspondence with the Home Office, or the Admiralty, or some other Departments?—I should say it is not so large; certainly the receipts are not so large as those from the Colonial Office; and we are in such constant communication with the Admiralty that our receipts from the Admiralty are certainly much larger than the receipts from the Board of Trade.

1755. That is to say, that the Foreign Office is in as constant communication with the Admiralty and the Colonial Office, asking their opinions upon various subjects, as it is with the Board of Trade?—

Trade?—Yes; we ask their opinion. But, generally speaking, I should say that our opinion is asked; there is, however, a general interchange of information and opinions mutually between all the Departments.

1756. In your opinion, is there any stronger reason for the amalgamation of the Board of Trade with the Foreign Office than of any other Department with the Foreign Office?—Certainly not.

1757. All the Public Departments stand upon the same footing, do they not?—Certainly; more especially as regards the legal branch.

1758. I gather from the evidence which has been given before the Committee that there are two plans proposed and advocated; one is, that there should be a separate department in the Foreign Office for treaties of commerce, that being a departmental arrangement, or that there should be a commercial department with an official at the head of it responsible to Parliament; is that what you gather from the evidence?—Yes, that is what I understand to be the proposal.

1759. What is your objection to there being a mere departmental arrangement for trade in the office?—My objection is, in the first place, that I think these separate divisions have a tendency to produce inconvenience in the office with respect to the arrangement and distribution of the clerks. The next objection is, that I think it would be very undesirable that the whole body of the clerks should not during the whole time they are in the office be conversant with and in the habit of dealing with matters of trade. They now, each in their respective departments, know what is going on in regard to trade in the country to which they are attached, and I think that is a very desirable arrangement. Speaking from long experience of a public office, I dislike very much the telling off, as you may call it, of a separate department to do one class of work. The third objection I have is, that our political and commercial relations are so very much blended together that I do not see how we could work those departments as entirely distinct departments. We should get our papers always in confusion. Now, when we want a paper of whatever kind, we go into the division and find the paper, but if we were to go and search for a political paper which had been taken into the commercial branch, we might look for it in the political division, and find that it was locked up in the commercial branch; this is a mere departmental question; the hours of attendance probably in the commercial branch would not be so late as in the political branch; we expect a clerk to be present in the political branch at whatever hour we want him.

1760. I presume that if you had a commercial department in the office, you would have to have clerks in it specially educated for that branch of the office?—If we had it as a distinct department that would be so; but there is the difficulty with regard to promotion, which always stares you in the face in an office of this character; it was a thing very much pressed upon me in the Consular Committee, and the Honourable Members upon that Committee thought it rather strange that when a senior clerk in the consular division was taken away, by death, I think, from the consular division, instead of the junior clerk being put at the head of the department, another person not previously employed in the department was put at the head of it; but you cannot, in any department, capriciously pass over clerks, who by seniority are entitled to promotion, in order to put a man who may be conversant with the affairs of the department over their heads; it would be very unjust, and you might do a very serious injury to a man who was otherwise well deserving. The reason I like the present system is this, that all the clerks in the office, having been constantly in the habit of seeing and dealing with questions connected with trade as they advance in the office, are able to dispose of those questions in their respective divisions, or in whatever division they may be placed; a clerk in the French division is not very much surprised when he goes into the German division; he is accustomed to the general character of business.

1761. The only advantage of having a department for Trade in the office, would be that that department would receive all the despatches coming from abroad relating to trade, and would forward those despatches to the Board of Trade, doing collectively what is now distributed amongst different departments in the office?—That would be the result of it; but I consider that the mischief which I have pointed out would exist.

1762. Do you think it an advantage that there should be one department to receive and register, and keep account of all communications with respect to trade with abroad?—No; from my experience of the office, I should be very reluctant to see it; I think it would be mischievous to the office generally.

1763. If there are any advantages in it, you think that those advantages are more than counterbalanced by the disadvantages?—Much more than counterbalanced by the disadvantages. With reference to the general organization of the office, we must look at the office, not with reference to one particular Department, but with reference to the whole, and see how it can be best organised. Nobody can deal with those questions so well as the people connected with the department.

1764. There would be no special knowledge, then, required for that department?—Not the slightest.

1765. You stated that there were two departments in the Foreign Office, which have special things under their cognisance, the Slave Trade Department and the Treaty Department?—Yes.

1766. The Slave Trade Department is very limited, is it not?—Yes, it is limited in the amount of correspondence; it does not enter into general politics at all; its duties are very much matter of routine business, such as sending warrants; every ship that goes out upon a station, has a set of Slave Trade Warrants sent to it, and every ship coming home returns such warrants. There are a great many of those small things, which render it desirable to have a separate department. At the time when I first went into the office, in the year 1823 or 1824, that division did not exist, and if my own opinion was asked now, I should be very glad if it existed no longer, and was all cast into the office generally.

1767. When there is a treaty to be made affecting the slave trade, that treaty is now prepared and drawn up by the Treaty Department, is it not?—Yes; by the Treaty Department. There is at this present moment a general revision of the slave trade instructions in progress; and the head of the Treaty Department, it being

E. Hammond, Esq.

14 June 1864.

partly a formal matter, is one of the Commissioners for carrying it on.

1768. Therefore, although these distinct departments have been made, yet the business of the office is so connected together that you cannot work one without having recourse to another?—Yes; I am afraid I have not got the instruction here, but it is, that although there is a Treaty Department, it is the duty of the heads of divisions to keep themselves perfectly informed of what is going on in the Treaty Department as regards their respective divisions. The senior clerks ought to be fully informed of what is going on; and so much is that the case, that though the Treaty Department has for its own convenience a separate register of its own, the letters, I believe, which come into that department, are entered in the general diary of the divisions. Though there is a separate department, it is so much connected with the general divisions that the papers are bound up at the end of the year with the general correspondence. In looking for something with reference to evidence to be given here, I was asking the head of the Treaty Department the other day to give me such and such a paper, and he said, "At the end of the year I give up all my papers to be bound up with the general correspondence."

1769. Do you think it possible to have a department for trade in the Foreign Office, with a Parliamentary Under Secretary for its head, or some officer having a seat in Parliament, and responsible to Parliament for trade?—I presume that that department would be irrespective of the Board of Trade, and, if so, I cannot conceive how it could possibly work, unless you brought the whole Board of Trade into the Foreign Office; for, although I am not well informed about trade, I imagine that all our trade hangs very much together; that wool and cotton, and all other goods are closely connected. You could not safely negotiate for an alteration in woollens without considering what bearing it would have upon cotton, and information relating to them ought to be obtained and digested by a department which has the means of collecting from the Chambers of Commerce, or the manufacturers themselves, or other sources, everything bearing upon trade in general so that before the Government commits itself to any negotiation with a foreign power, the effect and bearing which that negotiation may have upon the general commerce of the country may be exactly ascertained.

1770. In fact, you would require to have two Boards of Trade, would you not?—We should have to have a Board of Trade in the Foreign Office dependent upon the Board of Trade in Whitehall.

1771. You could not have any subordinate officer in the Foreign Office who is responsible to Parliament; the Secretary of State is responsible to Parliament?—The Secretary of State must be responsible to Parliament. As I said before, all our subordinate officers are really *bonâ fide* subordinates, and have no authority to speak for themselves in any single thing; they always speak as for the Secretary of State.

1772. Therefore, the Secretary of State would in reality be responsible for the commercial department of the Foreign Office?—Certainly.

1773. And being responsible, he would have to make himself familiar with all the details of that department, would he not?—Yes.

1774. You were asked the other day whether, when I am absent, you undertake the duties connected with my division, and whether, when you are absent, I undertake your duties, and whether, therefore, there would be any difficulty in either you or myself taking the commercial department; do you think that either of us could take the commercial department?—It would, in the first place, involve the necessity of each of us being equally well acquainted with trade with the head of the commercial department; I can only say for myself that my present duties are so overwhelming, that I could not undertake more work than I have to do at present.

1775. Supposing that the officer who is thus to represent the Trade Department of the Foreign Office were to have that knowledge of trade which would make him the useful person that the gentlemen who have given evidence before the Committee think there ought to be at the Foreign Office, neither you nor I could hold that place, even temporarily?—No, I cannot answer for you, but I can answer for myself; I could not hold it.

1776. Supposing such a department did exist in the Foreign Office, do you think that the Secretary of State would be content to receive an opinion from that department upon trade without consulting the Board of Trade?—I should be very much surprised if he did.

1777. Therefore, virtually, you would only add very much to the business, and instead of making it easier to deal with the Foreign Office or the Board of Trade upon commercial questions, you would make it more difficult?—Much more so.

1778. In all probability the correspondence would be lengthened rather than shortened?—Yes, it would be lengthened; we should get into in extricable confusion, I think.

1779. Do you not draw a distinction between the Foreign Office negotiating a treaty abroad, and between the Foreign Office furnishing information to our agents as regards a treaty abroad, with reference to questions involved in that treaty. We can negotiate a treaty without having special knowledge of trade ourselves, can we not?—Of course we can.

1780. That is to say, if we obtain information from the Board of Trade it is then our duty to negotiate the treaty through our agents abroad?—Yes.

1781. A good deal has been stated to the Committee with regard to the negotiation of the French Treaty of Commerce, as if that was an entirely exceptional proceeding. Will you give the Committee a sketch of the manner in which that treaty was originated, and in which it was negotiated and carried on afterwards?—Of course I speak with great submission before Mr. Cobden; but, as far as I am aware of the circumstances, advantage was taken of Mr. Cobden being at Paris, to communicate through him with the French Government, with a view of improving the commercial relations between the two countries. In regard to the first treaty, though I was aware of what was going on, I had no official knowledge of it. I have no doubt that Mr. Milner Gibson was aware of what was going on, and Earl Russell I know was aware of it; but I had no official knowledge of what was going on with regard to the first treaty till the matter was all settled, at least, so far settled that we were able to draw a draft of the treaty, and to prepare the instructions for carrying the treaty out; that is all

all I know about that treaty. The draft of the treaty was drawn in the Foreign Office upon a note which I believe was furnished by Mr. Cobden, and the instructions emanated from the Foreign Office, for the conclusion of that treaty.

1782. It has been stated in evidence that the Foreign Office made over the whole thing to the Board of Trade; one of the witnesses states that he has reason to believe that instead of the Foreign Office assisting the treaty, they did what they could to throw obstacles in the way?—That refers not to the original treaty; it refers to the supplementary treaty.

1783. I asked Mr. Ripley, "You state that the negotiations for the French treaty were carried on entirely between the Board of Trade and the English negotiations in Paris. Is that your belief? Yes; and my belief is founded upon information gained by coming into contact with the various officials when I have come up to London at various times during the progress of the treaty. The Board of Trade, as far as I know, during the whole of the time, communicated directly with the French Government, or with our representatives in Paris; in fact, the whole matter was, I believe, entirely out of the hands of the Foreign Office. They handed over the matter to the Board of Trade to negotiate and complete." Then again, "The Foreign Office had nothing at all to do with it, you think? I believe not; we had no communication with the Foreign Office all the time upon the subject." Then Mr. Behrens says when I ask him, "Did either the Foreign Office or the Board of Trade throw any obstructions in the way of carrying through that treaty? Of course I do not know the communications and the correspondence that passed between them, but I was told that there was some obstruction at that time. That is merely hearsay, is it not? Yes. Did you hear at that time that obstructions were thrown in the way of carrying through that treaty either by the Board of Trade, or by the Foreign Office? I heard so. From whom did you hear it; was it from general report? Yes." Are these statements consistent with the fact?—Perhaps the Committee will bear with me a little, if I enter into some detail upon the matter.

1784. Will you let the Committee know exactly what the action of the Foreign Office, what the action of the Board of Trade, and what the action of the negotiators was with respect to that treaty?—The question of negotiating that supplementary convention, I see by a note which I have, was first raised on the 28th of February 1860, in which I called Lord Russell's attention to the matter. I should say, perhaps, that a short time after the conclusion of the original treaty, we received a great number of representations upon different points connected with the treaty, upon which explanations were wished by the Chambers of Commerce or individual merchants, and upon which we were necessarily obliged to refer to Paris. It was then proposed to the Board of Trade—I think we proposed it to the Board of Trade—that Mr. Mallet, who was well conversant with matters of trade, should go over to Paris to assist Lord Cowley in communication with M. Rouher, to settle all those different points. But before that arrangement was carried into effect, the question came up as to negotiating the supplementary treaty itself. It was then that the Board of Trade sent us a letter containing observations as to what was required for carrying out the original treaty, and upon those observations I drew up a memorandum, which I know was submitted to Mr. Gladstone. I believe Mr. Milner Gibson afterwards saw it, but I am not certain. Upon that memorandum the instructions were ultimately founded which were drawn by myself, for negotiating the supplementary treaty. There was a question how the commission should be composed to negotiate it. We were, of course, all very anxious that Mr. Cobden should undertake the duty, but I believe there was some scruple arising out of Mr. Cobden's health, and from our thinking it unfair to put such an additional labour upon him. That deterred us for some time, but at length there was I believe, some communication between Mr. Milner Gibson and Mr. Cobden, and I have a note of a report to Lord Russell of the 5th of April, "I have seen Mr. Cobden with Mr. Milner Gibson, and he (Mr. Cobden) is quite ready to undertake the business;" that was my report to Lord Russell. I believe I had the pleasure of seeing Mr. Cobden more than once at that time; we were in constant communication with the Board of Trade privately. We submitted the draft instruction to the Board of Trade, and I have here the opinion that was given to me upon it; it was not done officially. The private note which I received from the Board of Trade, was dated the 3d of April: "Mr. Milner Gibson and I have gone very carefully through your proposed letter of instructions, and I have noted down a few alterations for your consideration; you have, however, left very little for us to suggest." In the same manner, with respect to all the details, with respect to the Commissioners who were to be associated with Mr. Cobden, their relative positions, and the relation between Mr. Cobden and the Ambassador, I was in constant communication with the Board of Trade, to the extent even of whether a clerk should be appointed by Mr. Cobden at Paris, or whether he should be sent from the Board of Trade. All those little details were settled between the two Departments. In the instruction there was also provision made for the deputies of the Chambers of Commerce going over to Paris; they were to be put in strict subordination to Mr. Cobden, but to give him information upon anything which, for their own interests, they might wish to place before him. I believe the Board of Trade made that proposal first, and Lord Russell adopted it, and it was acted upon at once. There was also a clause inserted, that, to save time, the Chief Commissioner, Mr. Cobden, should correspond directly with the Board of Trade, and that they should answer him. Of course, the question involving mere matters of tariff and detail, it would have wasted a good deal of time unnecessarily if the communication had all come through the Foreign Office. That is the history of the commencement of the negotiation.

1785. Then, the Treaty of Paris is an illustration of the way in which the Foreign Office carry on the negotiation of a treaty, when, connected with that treaty, is a revision of tariff?—Yes.

1786. That is to say, that the Foreign Office would do all that was required diplomatically, and leave the arrangement of details to persons acquainted with such matters?—Yes. I will continue my account of what took place with regard to this matter. We knew nothing of what was going on at Paris till quite the close of the negotiation, when the draft treaty with the first tariff, which related principally to iron,

E. Hammond, Esq.

14 June 1864.

was sent over for the approval and sanction of the Government. That the tariff and the Convention, were immediately sent by us to the Board of Trade, in order that they might see whether the tariff was such as the Government could adopt. I believe that the Board of Trade had very naturally a considerable difficulty in pronouncing whether the tariff was correct or not. But as a matter of public responsibility to Parliament and the country, the Board of Trade was of course the department which should say to the Foreign Office, "Accept that tariff as it is,' or "We want some modification in it." It was not for us in the Foreign Office to enter into it. We could not enter into those details. We were not in a position to say, "The tariff is right, it may be accepted." But with regard to the Convention, it was different; we were of course bound to look at the details of the Convention. But in all those discussions about the Convention, and partly about the tariff, we were in constant communication with the Board of Trade. I do not say that there was much official communication; I dare say Mr. Milner Gibson will remember how much I saw him upon the subject; sometimes I disturbed him at eight o'clock in the morning going to him across the Park. Mr. Milner Gibson was obliged once, if not oftener, to go to Lord Palmerston about it. There were points which required a good deal of communication; we were in constant communication about it. Having received an official answer from the Board of Trade that the tariff was to be accepted, of course we accepted the tariff. At this time the Minister whom I was in communication with, was Lord Palmerston, Earl Russell being abroad with the Queen, in which case the Prime Minister is in foreign matters the referee of the Under Secretary. Everything that I did was submitted to Lord Palmerston, and, I am happy to say, was approved by Lord Palmerston, and any instructions that he gave me I carried out. But it took us a considerable time to settle. We received the draft convention and tariff on the 18th or 20th of September, and I think it was not finally settled in London till a very early date in October.

1787. There was, therefore, a harmonious working between the Board of Trade and the Foreign Office throughout the whole negociation of that treaty?—Perfectly so.

1788. Sir *Minto Farquhar.*] You stated, did you not, that there was a period, while those negociations were going on, when the Foreign Office was not aware actually of what was doing?—Yes; it was whilst they were working out the details of the tariff, and fixing the rates at which the articles should be charged.

1789. You mean during the period when Mr. Cobden was in Paris?—Yes, whilst the Commissioners were in direct communication with the Board of Trade upon those details.

1790. Mr. *Layard.*] Has any other treaty been concluded of late between this country and Foreign Powers in which there has been a discussion upon the tariff?—We had a Commercial Treaty with Turkey; but that was not a case in which there was a discussion of tariff between the officers here. There is a provision in the treaty that the tariff of duties shall be fixed according to a system they have in Turkey. A committee of merchants appointed on the spot to settle with the Turkish Customs the different rates at which goods shall be charged.

1791. In fact, when the Treaty of Commerce was concluded with Turkey, the tariff was settled by gentlemen practically acquainted with trade upon the spot, was it not?—Yes.

1792. Therefore, if we had another treaty to negotiate in which there were tariff reductions, the Foreign Office would place the tariff in the hands of the Board of Trade, or of persons acquainted with trade, would it not?—Yes; if the same thing occurred again as occurred in reference to the French Treaty, we should at once ask the Board of Trade to send a commissioner or some person perfectly competent to go into all the minute details of tariff values.

1793. The fact is, that, with the exception of those two treaties, we have not, since the conclusion of the French Treaty, had a reduction of tariff to negotiate with any other country, have we?—I am not aware of any.

1794. There appears to be a complaint made by the Chambers of Commerce that persons acquainted with commerce were not sufficiently consulted when those treaties that we have made have been made. Does not that arise from the fact that, in consequence of our treaty with France, we have been precluded from tariff arrangements?—Certainly.

1795. If that had not been the case, we should liberally have consulted the Chambers of Commerce, should we not?—Yes; I presume we should have carried on the business just as we did when we negotiated the French Treaty. If we were negotiating a treaty now, involving tariff arrangements, we should immediately require the Board of Trade to supply to us here, or to the Minister in the country with which we were negotiating, all the minute details connected with tariff arrangements.

1796. In reference to our negotiations with foreign countries, it has been stated that we have been behindhand with nearly all of them. Amongst other statements, there is one which was made by Mr. Behrens, that we came after France in communicating with the Russian Government, which statement, I think, the Honourable Chairman repeated in his speech in Parliament; was that the fact?—I can answer that question upon Lord Napier's authority.

1797. Will you read the despatch from Lord Napier?—The despatch was written with reference to a statement in the "Times" newspaper, purporting to be a report of a speech of Mr. Forster's in the House of Commons on the 15th of April 1864. The statement was this: "In Russia, the tariff was almost prohibitory upon his own goods, Orleans stuff; the present Russian duty was 26 *l.* per cwt. Honourable members would appreciate the oppressive weight of that Duty when they learnt that the 15 per cent. *ad valorem* duty in France amounted to only 4 *l.* 10 *s.* per cwt. It was difficult to imagine a country where it was more the duty of the Government to care for the many consumers, rather than the few manufacturers which Russia possessed. But even Russia was awakening, and last year it was stated that a reduction in the tariff would be made. Those reductions, however, did not assist English goods, and the reason was obvious, they were adopted after being submitted to the French Ambassador. Our Ambassador ought to have been instructed to communicate with the Russian Government at the time." The despatch is dated St. Petersburg, April 25, 1864. "My Lord, I have the honour to submit to your Lordships, herewith, an extract of the "Times" newspaper, containing

containing a passage taken from a speech delivered by Mr. W. E. Forster in the House of Commons on the 15th instant. Mr. Forster remarks that "it was stated last year that a reduction in the Russian Tariff would be made. These reductions, however, did not assist English goods, and the reason was obvious, they were adopted after being submitted to the French Ambassador. Our Ambassador ought to have been instructed to communicate with the Russian Government at the time." The observations of Mr. Forster are founded on some erroneous information. There were some insignificant reductions of the Russian tariff last year, with a view chiefly to equalising the differential duties on goods entering by the land and sea frontiers of the Empire, reported to your Lordships on the subject in my Despatch, No. 585, of 26 August 1863. The changes then introduced were equally beneficial, as far as they went, to French and English goods, both countries being alike interested in importation by sea or nearly so. They were adopted, no doubt, chiefly from a sense that they were just and consistent with the interests of the Russian Government, but they had been repeatedly urged on the attention of the Imperial Cabinet by Her Majesty's Embassy acting under your lordship's instructions. I do not know whether the French Government gave similar instructions to its representative here, but I remember suggesting to the Duke de Montebello to co-operate with me for the object referred to, and requesting your lordship to move the French Government in the same sense. Whatever foreign intervention or representations there were, certainly originated with Her Majesty's Government. I waited on Prince Gortchakoff two or three days since, with the view of ascertaining whether recently or previously the changes in the Russian tariff had ever been adopted after being submitted to the French Ambassador. The Vice-Chancellor informed me in reply that no such submission or consultation had ever taken place, the changes adopted had been resolved on with reference to the interests of Russia solely on national grounds, without any international concert whatever, and he, for his part, would always be disposed to decline the discussion of the tariff, a matter of domestic policy, with foreign powers; he was against treaties and engagements for the reciprocal modification of tariffs. The expressions made use of by the Vice-Chancellor on this occasion were altogether consistent with the language his Excellency has held to me before. I have already more than once submitted to your Lordship my humble opinion that very little is to be gained by arguments and representations addressed to the Russian Government on behalf of free trade and low duties; but whether that view be just or not, I can affirm with confidence that the arguments of the French ambassador have had no exclusive or preponderant influence whatever in prompting any changes in the commercial legislation of Russia. Nor is there any reason to believe that the great alterations made in the year 1857, or that any of the slight modifications since embraced have been in the least degree more beneficial to the trade of France than to that of England; on the contrary, Her Majesty's consul has personally assured me that, on the whole, he thinks that the result of the changes hitherto adopted has been more advantageous to the exportations of Great Britain than to those of the French Empire. Your Lordships will not suspect me of a desire to defend the Russian tariff. Even in its mitigated state, it contains abundant matter for criticism. There are more than 300 articles of importation subject to duty, with a multiplicity of subdivisions, and on some fabrics the specific duty levied may still amount to 60 or 70 per cent. *ad valorem*. The export duties are equally open to objection. It is but fair, however, to the Russian Government to remember that seven years ago an important simplification and reduction of the tariff took place. I select the article referred to by Mr. Forster as his own special manufacture; the article of "Orleans stuff," a thin, woollen stuff, a kind of camlet. In the finer qualities this stuff pays a duty in Russia of 1 *r.* 20 *cops.* per Russian pound, which amounts, as Mr. Forster says, to nearly 26 *l.* per English cwt. In the coarser qualities, the duty is half that amount. The duty previous to 1857 was, however, 33 per cent. higher than at present, and on the coarser qualities of the same stuff it was more than double what it is under the law of 1857. I do not at all despair of further reductions, as the notions of commercial restriction and prohibition gradually yield, throughout the empire, to more enlightened ideas and to the example of other countries. If the progress of Reform, however, be slow, it is not at all owing to inaction on the part of Her Majesty's Government, and the changes which occur are in no way shaped by French influence or intrigue to the prejudice of England. Her Majesty's Government might, perhaps, think it desirable to communicate this despatch to Mr. Forster. It would be interesting to me to know on what grounds Mr. Forster based his statement that the last reductions of the Russian tariff were adopted after being submitted to the Duke of Montebello, and why they are supposed to be specifically favourable to France. The explanations of Mr. Forster might enable me to test the official statements of the Russian authorities."

E. Hammond, Esq.

14 June 1864.

1798. There seems to be prevalent an impression amongst the Chambers of Commerce, that our representatives abroad, whether diplomatic or consular, do not attend to matters of trade, that they think it, in fact, rather beneath them to do so; is that the case?—I am not aware of it. I have no reason to suppose so. If I were asked I should say they attend as much to matters of trade which come before them as to any other matters of business.

1799. Do you not think that I may almost say that our diplomatic and consular agents are most anxious to give every information upon matters of trade?—I have not the least doubt of it.

1800. Has not very valuable information of late years been given by them upon matters of commerce?—I think very valuable.

1801. Mr. Ashworth, in his examination, in answer to Question 912, states: "When the American War broke out, and we saw very clearly that the cotton manufacture was going to be grievously harassed for want of the raw material, communications were made to the Foreign Office, to induce Lord John Russell to write out to the various consuls abroad to ascertain whether or not it was possible to obtain large supplies of cotton from places which had been previously unaccustomed to grow cotton, and what were the hopes and expectations which we might rely upon as to getting cotton from places over which we had some control;" is that statement true?—If

E. Hammond, Esq.

14 June 1864.

Mr. Ashworth had given the date, I should have been able to have spoken more clearly. I have made the best search I could, and about that time I could find no such letter from the Manchester Chamber of Commerce upon the subject at all; but I do find a correspondence with the Manchester Chamber of Commerce, which perhaps the Committee will permit me to read to them.

1802. Mr. *Henley.*] You find no memorial?—I have made a search, but I cannot find any. A search has been made especially about the date of this letter. I believe I gave a rather incorrect direction, at first, but I know that the search came down to this date, and even subsequently to it: the rest of this year has been twice looked through. This is a letter dated the 19th of January, 1861. It is not from the Chamber of Commerce at Manchester, but from the Foreign Office to the Chamber of Commerce:—"Foreign Office, January 19, 1861. "Sir,—The uncertainty which must necessarily exist as to the effect that the present political crisis in the United States may have on the supply of cotton, and the serious results which might ensue if that supply were to fall short, appear to Lord John Russell to suggest the expediency of making timely inquiry as to the possibility of obtaining from other quarters such an amount of cotton as may compensate for any deficiency in the amount usually obtained from the United States. In compliance with the wishes of the Cotton Association of Manchester, the attention of Her Majesty's consuls was some time since called to the facilities which the countries wherein they resided offered for the cultivation of the cotton plant; and much valuable information on this point has been, from time to time, communicated by the Foreign Department to the Cotton Association, and it has been made apparent that, with proper encouragement, a vast supply of cotton might be produced for the British market in many places not hitherto resorted to for that purpose. It would seem, too, that even without more than the ordinary encouragement to industry offered by the prospect of a sure market, no small amount of cotton might at once be obtained; and it occurs to Lord John Russell that it would be of great convenience and advantage to the cotton manufacturers in this country, in anticipation of a deficient supply from the United States, if they could obtain a fair estimate of the amount of supply which might at once be procured from other countries, if it were thought worth while to send and fetch it. Lord John Russell, therefore, desires to place at the disposal of the cotton manufacturers in this country the services of any of Her Majesty's consuls residing in countries which, from the information now in the possession of the Cotton Association, offer a prospect of immediate supply, if it were necessary to have recourse to them. Lord John Russell would not, indeed, think it right that Her Majesty's consuls should be allowed to incur any expenditure of public money on this account, or in any way to pledge the Government to the collectors or producers of cotton within their districts, that the fruit of their labour would surely find a British market. But the consuls might ascertain what amount of cotton might be expected to be forthcoming in their respective districts to meet any sudden demand, or what amount might be brought into the local market if the native dealers had a reasonable assurance of finding customers for it at a given time. The attention of the consuls, Lord John Russell conceives, might usefully be directed to these, as well as to other similar points, whic might be suggested by your association in communication with the General Cotton Association, and also with the Chamber of Commerce of Liverpool. The practical knowledge possessed by the members of these several associations will enable them at once to judge whether any beneficial results would be likely to attend such an inquiry as that which Lord John Russell, if they choose to accept his offer, is prepared to instruct Her Majesty's consuls at once to set on foot. Lord John Russell is aware that, in making this offer, he is departing in some degree from the usual practice; but it appears to his Lordship that the vast amount of the interests at stake, not only as regards the manufacturers themselves, but as regards also a very large proportion of the labouring population of this country, warrants him in informing the parties who, from their position, take a lead in such matters, that he is prepared and anxious to afford them all the assistance, more particularly at the present time, which the department under his superintendence is able to render.—I am, &c. (signed) *E. Hammond.*"

1803. Mr. *Layard.*] What was the answer to that?—The answer was dated 24th January 1861: "My Lords,—I have the honour to acknowledge receipt of your Lordship's communication of the 19th instant, which I had the pleasure of presenting to the members of the Chamber at their annual general meeting held on the 21st instant; and I have been requested to convey to your Lordship the expression of their warmest thanks for this very timely offer of aid on the part of the Foreign Office. I may further state to your Lordship, that certain measures are at present in contemplation by the Board, having for their object to furnish the means of obtaining increased and more regular supplies of cotton for the trade of this district; and at no distant period I hope to be permitted to submit the same to your Lordship's consideration.—I have, &c. (signed) *Edmund Potter*, President."

1804. Did we not send circulars to all our agents all over the world upon this subject?—Yes, in communication with the Cotton Association; I should like to be allowed to say one word in addition: as far as I can trace, we received no further communication from the Manchester Chamber of Commerce; but I may state my conviction that, if they had availed themselves of our offer, we should have very materially assisted the cotton manufacturers of this country. I may state with less hesitation, what I believe, because I think, about a year and a half afterwards, a proposition very much resembling what I should have been prepared, under Earl Russell's sanction, to suggest to the Chamber of Commerce of Manchester was propounded in Manchester (I saw it in a newspaper). The idea which occurred to me at that time, and which, I daresay, Earl Russell would have sanctioned, would have been that the cotton interests should have made a joint-stock purse, and either send to important places agents of their own, or, in places where there was less cotton likely to be collected, employed our consuls to make known generally in the district that every pound of cotton (we knew from our previous reports, obtained for the Cotton Association, that cotton was growing wild in different parts) which was brought to the seat of the consulate should find a purchaser; and then, when a sufficient quantity of cotton was collected

lected together, it might have been sent for and fetched. I verily believe, if that had been done, I do not mean to say that we should have got anything like the supply of cotton we were deprived of, but we should have got a very fair amount of cotton. I believe something like that plan was afterwards propounded at Manchester, and it struck me at the time that there should be some joint-stock purse raised with the view of purchasing cotton in different places.

1805. Your impression is, is it not, that, instead of the Foreign Office being behind the Chamber of Commerce, we were before them?—In that matter my impression is so, decidedly; I can find no letter from the Chamber of Commerce earlier than that which I have read.

1806. Did not the Foreign Office send circulars to all their consular agents abroad, calling upon them to make the fullest reports upon the growth of cotton in their respective districts?—In the autumn of 1857 we sent those circulars, in communication with the Cotton Association.

1807. All those reports were sent to the Cotton Association, were not they?—Every one of them was sent as it came in; and they continue to be sent.

1808. The Foreign Office has been in constant communication with the Cotton Association, has it not?—Yes; it was only the other day that we had an application from the Cotton Association, I think on the 14th of May, to send inquiries to the Consuls; we asked the Cotton Association to frame their own inquiries, which they have now done, and I believe they have been issued from the Consular Department.

1809. There is an impression on the part of some of the witnesses, that a great deal of good might have been done abroad by communicating to Foreign Governments the advantages which England has derived from her free-trade policy; have any such communications been made to Foreign Governments?—Two have been made, and another we hope, with the assistance of the Board of Trade, will very shortly be made. I have a Paper upon that point, which I should like to put before the Committee; this was a circular sent to certain of our ministers abroad in 1851; it does not seem to have been sent to all; it is dated 11th February 1851:—"My Lord, I transmit to your Lordship two printed copies of a statement which has been prepared by the Board of Trade, and I have to instruct your Lordship to communicate one copy of this statement to the —— Government, as affording a practical proof that a reduction of import duties is not always attended with a corresponding diminution of revenue; but, on the contrary, it is generally followed by an increased consumption, which adds to the comforts and enjoyment of the people at large, while it affords at the lower duty nearly the same amount of revenue which was raised upon the smaller consumption by means of the preceding higher duty. Your Lordship will retain the other copy of this statement in the archives of your mission.—I am, &c."—I will hand in the statement which accompanied that letter.—(*The same was handed in.*—Vide *Appendix.*)

1810. Was another circular afterwards sent?—Yes; in 1860 another circular was sent, to the same effect:—"Foreign Office, 7th April 1860. I transmit herewith copies of a Paper which has been drawn up by the Board of Trade, showing the practical results of the policy of free-trade which has been adopted in this country. That policy, the commencement of which dates from 1842, has been carried out to its full extent by the recent changes which have been made in our commercial legislation, and Her Majesty's Government think that the moment is not inopportune for pointing out to other Governments the advantages which have been derived in this country from the introduction of a more liberal system, and which they are convinced would equally follow the introduction of such a system in other countries. I have therefore to instruct you to communicate the above-mentioned Paper to the Government, and to request the attention of that Government to the facts which it contains; you will also communicate this Paper, or an abstract of it, to any influential persons who may take an interest in financial and commercial questions."—I will hand in the statement which accompanied that letter.—(*The same was handed in.*—Vide *Appendix.*)

E. Hammond, Esq.

14 June 1864.

1811. To whom was that circular sent?—I believe it was sent to all Her Majesty's Ministers abroad.

1812. Another circular has been in preparation, has it not?—We asked the Board of Trade the other day if they could, at the present time, give us a similar statement to be circulated.

1813. Have not circulars been sent to all the Secretaries of Embassy and Legation abroad, calling upon them to make annual reports upon matters of trade; and have not similar circulars been sent to all the heads of missions, calling upon them to send to the Foreign Office, at once, all decrees altering tariffs, or making any change affecting matters of trade and navigation; and have not circulars also been sent to the heads of missions, calling upon them to direct the attachés to make reports upon matters of trade and commerce?—Yes; I have the circulars here which were sent. The first was signed by Lord Clarendon on the 24th of February 1857; the second was on the 24th of January 1860; that was signed by Lord Russell; the third was also signed by Lord Russell on the 31st of March 1860, and the fourth, also signed by Lord Russell, on the 23d of May of this year. The circular with respect to furnishing statistical information, as soon as it can be obtained, is dated the 25th of April 1863; I will hand in these circulars (*handing in the same.*—Vide *Appendix*). There was a question raised the other day as to the principle upon which the reports of the Secretaries of Legation were to be framed with respect to their dealing with details. The object is best stated in the circular issued on the 31st of March 1860: "The object for which Secretaries of Embassy and Legation are required to make periodical reports is not so much to obtain by that means the latest statistical information, but to impose upon the secretaries the duty of keeping their attention constantly alive to all matters connected with the industry, commerce, and resources of the country in which they reside, and of reporting either generally, upon the whole, or specifically upon any branch of them."

1814. Mr. *Seymour FitzGerald.*] The circular with respect to the statistical information was issued to the heads of missions, was it not?—All those circulars were addressed to the heads of missions.

1815. Mr. *Layard.*] Are not those who enter the

E. Hammond, Esq.

14 June 1864.

the Diplomatic Service obliged to go through an examination, part of which consists in works on political economy?—Yes; I will hand in a copy of our regulations for the examination of attachés in the Diplomatic Service.—(*The same was handed in.*—Vide *Appendix.*)

1816. Do not the Consuls send home regularly reports upon all commercial movements in their immediate districts?—It is their duty to do so; I believe they do, generally.

1817. It has been stated in evidence here, that although those reports are sent home they are very often not published until two or three years after their receipt; are you aware that such is the case?—I can answer that from the time we have undertaken the publication of them at the Foreign Office, our rule is that everything that comes in between the laying of the Papers before Parliament in one year at the end of the Session and the end of the following Session is always laid before Parliament. The Consuls themselves may be in arrear, but as far as the Foreign Office is concerned the reports are published as soon as they can be.

1818. There has been a statement that during the time when Lord Malmesbury was at the Foreign Office, a letter with regard to the Belgian Tariff remained unanswered for three months; will you explain the reason of that?—I have taken the dates down, and it seems, on looking cursorily through the papers, that the correspondence originated with a letter from the Foreign Office to Mr. Wickham, dated 16th November 1858. I have not referred to that letter, but I got that date from the answer of the Bradford Chamber of Commerce, which was received on the 25th January 1859, when they sent an apology for not sooner noticing the letter of the 16th of November.

1819. Therefore, the Bradford Chamber of Commerce were two months before they answered the Foreign Office?—Yes. We received that letter on the 25th of January, and sent it to the Board of Trade on the 27th of January 1859. It was answered by the Board of Trade on the 2d of March 1859. Then it became necessary to refer it to the Queen's Advocate. It was referred on the 11th of March 1859 to the Queen's Advocate; it was reported on by the Queen's Advocate on the 7th of April 1859, and the Chamber of Commerce received their answer on the 11th of April 1859.

1820. Therefore, there was no delay which was not absolutely necessary in order to go into the question in that case?—None whatever.

1821. Have you thought it right to consult some of the gentlemen in the Foreign Office with regard to a separate Department for Trade, and have you their opinions upon the subject?—Yes.

1822. Will you state to the Committee what they are?—Yes.

1823. Mr. *Seymour FitzGerald.*] Were they the senior clerks whom you consulted?—Yes. These opinions arose out of the letter dated the 9th of April of this year, from the Bradford Chamber of Commerce, which I believe was circulated generally to Members of Parliament.

1824. *Chairman.*] Will you hand in the Paper to which you refer?—I will.—(*The same was handed in.*—Vide *Appendix.*) The printed paper was sent to the Foreign Office, I believe, under a blank cover from the Bradford Chamber of Commerce; it is dated the 9th of April, and headed, "English Government and Foreign Commerce." I do not know who sent it.

1825. It was a circular to Members of Parliament, was it not?—Yes. We sometimes consult the senior clerks, and take their opinions. We think it is desirable to have their independent opinions. I will read Mr. Spring Rice's opinion. He says:—"The proposal of the Bradford Chamber of Commerce seems to be founded on a misconception of the actual state of things. There is no 'divided responsibility.' The Secretary of State for Foreign Affairs, the only legitimate channel of communication with Foreign Countries, has consulted the opinion of the Board of Trade, the Department supposed to be cognisant of commercial details, on all points connected with Trade and Navigation, and it is on the reports of the Board of Trade that instructions are eventually framed. The memorial speaks of the Board of Trade as 'responsible for the whole commercial interests of the country,' and considers that it is inconsistent with this position that they should not correspond directly with agents abroad; if, however, the Board receive, as they do, full information through the Foreign Office, and if their recommendations are carried out, their responsibility has nothing to do with the form of representation to Foreign Government or the proper moment for such representation, with which points the Foreign Secretary is alone competent to deal; on the other hand, the Foreign Office, unless entirely reconstituted, is not competent to decide on commercial details. I am not aware of any case where the two Departments have failed in cordial co-operation; and, as regards Spain and Portugal, the only countries referred to with which I have to deal, there has been full concert as to the steps to be taken." I will now read the opinion of Mr. Alston—"This is a proposal for a Committee of Inquiry as to the expediency of altering the double machinery and divided responsibility of the Departments now intrusted with the duty of protecting England's commercial interests. It is stated that the Chambers of Commerce do not complain of any want of courtesy, but of a great want of efficiency on the part of the Government in making use of the information given to it, viz., by the Chambers, and in not making use of it at the proper time and in the proper place. The only cases in which this is specifically charged is in regard to Italy and Sweden, though the commercial policy of several other countries is passed in review, with the object it is presumed of indicating the necessity of greater activity; no allusion is made either to the United States or to China, Japan, and Siam, and I would therefore merely observe, as far as this division is concerned, that I am not aware of any want of efficiency or of activity in pressing upon the Governments of those countries any matters affecting British commercial interests, which may be brought to the notice of the Secretary of State, either directly by individuals or Chambers of Commerce, or indirectly through the Board of Trade. As far as my experience goes, this office, though in full and constant communication with the Board of Trade, is always ready to receive, to consider, and to act upon representations addressed to the Secretary of State upon commercial matters, and I do not see how any greater activity could be insured by an alteration of the existing machinery. All papers received at this office on commercial subjects are, as a matter of course

course, at once referred to the Board of Trade, and I much fear if any attempt were made to consolidate the existing machinery, that is to say, to throw this correspondence exclusively on the Foreign Office (for to hand it over exclusively to the Board of Trade would be entirely out of the question), the result would be, instead of adding to the efficiency of this Department, to imperil our power of continuing to perform useful service in those respects, by depriving us of the advice and assistance which the Board of Trade now gives us." This is the opinion of Mr. Staveley, of the French Department: "It appears to me that the views of the Bradford Chamber as regards the functions of the Foreign Office and of the Board of Trade in regard to commercial matters, and the working of such questions, are altogether erroneous, and that their statement of those views is in itself very contradictory, for while it is alleged that the Board of Trade possesses no power of action, and that a simultaneous and joint action of the two departments is necessary for the due discharge of the commercial business which comes before them, it is also stated that sometimes both take action at the same time, the one being ignorant of the other's proceedings, &c. As a matter of fact, I can only say that, as far as my experience goes, and speaking especially with reference to my own department, I do not consider there is the slightest ground for the allegation, that the Board of Trade is kept in ignorance by the Foreign Office of any information of a purely commercial nature which comes before it; and there is still less reason for stating that the Foreign Office 'take action' on any such matters of which the Board of Trade is ignorant, as previous reference to, or communication with the Board of Trade is, as I believe, the invariable rule before any representation on commercial matters is made by Her Majesty's representatives to Foreign Governments. In fact, the Board of Trade is the department to which the Foreign Office look for an opinion, at any rate on any commercial question which it may appear desirable to open or to follow out with any foreign government; and where the initiative is taken by Her Majesty's Government, the representation most commonly originates with that department; and on all commercial questions with foreign governments there has ever been, as I believe, the freest and most harmonious communication with the Board of Trade. It appears hardly necessary to observe, however, that the Secretary of State for Foreign Affairs must be the judge after all of the time at which, or the mode in which communications to a foreign government on commercial matters can best be made; seeing the close connection there must always be between political and commercial questions and interests, and I cannot understand how the interests of the commercial portion of the community can be better served than by the existing arrangement, seeing that both departments are always ready to receive the representations of commercial bodies, and to confer together as to the best means of carrying out such suggestions as may be for the general good." Then, the last opinion I wish to read is that of a gentleman, whom probably many Honourable Members of this Committee know, Mr. Bergne, the treaty-writer. He says, "The plan suggested by the Bradford Chamber of Commerce would be tantamount to transferring to the Foreign Office all those functions of the Board of Trade which concern the commercial relations between Great Britain and foreign countries. In such case it would be necessary to organise a district commercial department at the Foreign Office. That such a plan might, to a certain extent, by severing commercial from political matters (a severance which, however, could not be complete, because the two things are frequently mixed up), accelerate the course of action in such matters, it is impossible to deny; but it would probably lead to evils and difficulties greater than those which it was designed to remedy. Who is to be the chief of such a department, responsible to Parliament and to the country for its proceedings; surely not the Secretary of State for Foreign Affairs, who is already overburthened with the duties of his office as it is now constituted, and who, therefore, could not be expected to take upon himself, in addition, a very considerable and important part of the duties of the President of the Board of Trade; but, if not the Secretary of State for Foreign Affairs, it must be some other Minister, for it is evident that the control of such a Department could hardly be left to a subordinate permanent officer, however able, who would have no opportunity of explaining and defending in Parliament measures which would be taken, in point of fact, mainly upon his recommendation. Thus it would, after all, seem necessary to fall back upon a President of the Board of Trade or Minister of Commerce, call him by which name you will; and whether he sits at the Board of Trade or at the Foreign Office, does not seem very material."

E. Hammond, Esq.

14 June 1864.

1826. Mr. *Layard.*] Will you be good enough to state to what Governments of Europe we have sent a circular about the reduction of duties upon rags?—I should like to read a memorandum upon that subject, because I think it is rather a justification of the Foreign Office. This is a memorandum which was drawn up on the 28th of May 1863, showing what steps had been taken by Her Majesty's Government:—"On the 12th March 1860, Lord John Russell stated in the House of Commons, in reply to a question from Mr. Puller, whether it was the intention of the French Government to impose any duty on the export of rags from France, when the existing prohibition should be removed; that Her Majesty's Government had heard from the British Ambassador at Paris that it was pretty certain there would be a duty on the export of rags; but his Lordship added, that he had not been able to ascertain what the amount would be, although it was hoped that it would not be large. In reply to a further question from Mr. Puller, whether any steps had been taken or would be taken by Her Majesty's Government for obtaining a free exportation of rags from those countries in which the export was then either prohibited or restricted by heavy duties, namely, Belgium, Holland, Germany, Spain, and Portugal, Lord John Russell replied that Her Majesty's Government would take steps to obtain, if possible, a free export of rags from these countries; and the following is an account of the steps taken by Her Majesty's Government up to the end of the year 1861, to induce those and other Governments to allow the export of rags on more favourable terms than they had hitherto done. With respect to France, previous to Mr. Puller's inquiry, Lord Cowley had been instructed to ask the Minister of Commerce, without

E. Hammond, Esq.

14 June 1864.

out making any formal proposal to him upon the subject, whether the French Government would be inclined to substitute for the prohibition which then existed, of the export of rags from France, an *ad valorem* rate of duty on the export of that commodity; and Lord Cowley stated in reply that a project of law for the removal of the prohibition of the export of rags would be presented to the Legislative Body in the course of the Session, which was then sitting. This project of law was shortly afterwards adopted by the Council of State, and laid before the Legislative Assembly; but it does not appear to have passed into a law, for in May of the following year, Mr. Grey, then Her Majesty's Chargé d'Affaires at Paris, upon being instructed to send home a statement of duty levied upon the export of rags, replied, 'With regard to the duties, I presume the inquiry refers to those which will come into operation on the 1st of June next (1861), through the Belgian Treaty,' 'otherwise the exportation of rags being as yet prohibited, no export duty is at present levied upon them.' No special mention of the export of rags is made in the Belgian Treaty. In the case of Belgium, in April 1860, Lord Howard de Walden was instructed to urge the Belgian Government to remove the prohibition on the export of rags, and he was directed, in the event of his being unable to obtain entire freedom of trade, to endeavour to induce that government to replace the prohibition, 'by a duty so moderate as not to obstruct exportation.' Upon receipt of these instructions, Lord Howard brought the subject under the notice of the Belgian Minister for Foreign Affairs, who, at a subsequent interview, informed him, that the question of the alteration of the law prohibiting the export of rags had been brought before the Council of Ministers, who recognised that there existed grounds for 'doing something' in the matter, but that the Minister of Finance was not prepared to come to any decision until the result of the negotiations on the same subject between England and France should be known. Then we come to Holland. Lord Napier was, in April 1860, instructed to call the attention of the Dutch Government to the high rate of duty on the export of rags, and to urge strongly upon them the advantages likely to result to the commercial intercourse between the two countries, if the trade in rags was promoted by the imposition of a duty less in amount. The Dutch Government, in their reply, acknowledged the inexpediency of levying such duties, but contended by an appeal to preceding legislation on the subject, that there was little prospect of obtaining the abrogation of the impost complained of in the States General. It appeared, however, from a statement of the Minister of Foreign Affairs, that the export duty on rags in Holland was lower than that which was enforced either in the German Customs Union, France, or Belgium. With respect to Prussia, the Prussian Government, in reply to the representations of Lord Bloomfield, respecting the high rate of export duty imposed on rags, stated, that the subject had been frequently under the consideration of the different States of the Zollverein, but that they had not been able to agree upon the matter; they further stated, that they would not cease to make efforts to bring about a modification of the tariff. These are the facts with regard to Austria: in October 1860 Count Rechberg, the Austrian Minister for Foreign Affairs, informed Mr. Fane that the Austrian Government were prepared, in fulfilment of the wishes expressed by the British Government, to diminish the rates of duty levied upon rags exported from the Austrian dominions, and he proposed that "an instrument, which might assume the form of a Commercial Convention, should be exchanged between the government of Austria and that of Her Majesty, with a view to carry out the contemplated reduction of duties." Lord A. Loftus was instructed to accept the proposal, and to state that Her Majesty's Government were inclined to think that it should be embodied in the general treaty of commerce which they would shortly propose, but that, "should the negotiation of the treaty be long protracted, a short convention relative to rags, though not in the exact terms suggested by Count Rechberg, might be arranged between the two Governments." No steps, however, of any importance, were taken in this matter until July 1861, when Lord Bloomfield was instructed "to ascertain from the Austrian Government whether they would be willing to conclude a convention stipulating for a reduction of the Austrian export duty upon rags, in return for a stipulation on the part of Great Britain, that a differential duty on Austrian paper imported into the United Kingdom should not be reimposed during the continuance of such convention." To this proposal Count Rechberg replied that "great difficulties would certainly be raised in the Reichsrath, and suggested, with a view to obviate them, the introduction into the proposed Convention of an article "that would ensure to trade between Austria and England the advantages conceded to France by the late treaty with that country, or those enjoyed by the most favoured nations; or something, in fact, that would have the appearance of a concession to Austria." Her Majesty's Government declined to agree to these suggestions, and considered that the proposed stipulation respecting the non-imposition of duty on the importation of Austrian paper as a proper equivalent for the contemplated reduction of the Austrian duty on the export of rags; but they expressed their willingness "to conclude a convention containing a reciprocal most favoured nation article in addition to the article already proposed respecting rags and paper." Lord Bloomfield was instructed to make this proposal to the Austrian Government.—Spain: The exportation of rags from Spain being prohibited, Sir A. Buchanan was instructed in April 1860 to endeavour to induce the Spanish Government to remove the prohibition, and to replace it by a duty, so as not to obstruct exportation; but no answer appears to have been given by the Spanish Government to his representations.—Russia: The Russian Government, in reply to the request which Sir J. Crampton was instructed to make for a reduction of the export duty on rags, stated that they were "unable at present to accede to the wishes of Her Majesty's Government." As will be seen from the foregoing, Her Majesty's Government have taken steps to induce the Governments of France, Belgium, Holland, Prussia, Austria, Spain, and Russia, to grant some concession in favour of the export of rags, but hitherto without much success. In France, where the export of rags was prohibited, the Government, owing to the representations of Her Majesty's

Majesty's Government, brought before the Chambers a Bill for the removal of the prohibition, but it does not appear to have passed into a law. It has been ascertained, however, that after the conclusion of the Commercial Treaty between France and Belgium, a new Tariff was promulgated, which allowed the export of rags upon the payment of a certain specified duty. In the case of Belgium the Government declined to come to any decision until the result of the negotiations between England and France should be known. The Dutch Government acknowledges the inexpediency of levying such duties, but state their inability to induce the States General to reduce them. The Prussian Government stated that the States of Zollverein could not come to an agreement in regard to the reduction of the duty, but that they would continue to make efforts to bring about a modification of the tariff. The Austrian Government consented to the principle of a reduction of the export duty, and a long correspondence ensued as to the mode of carrying it into effect, which resulted in Her Majesty's Government proposing to conclude a Convention upon the subject. The Spanish Government made no reply to the request of Her Majesty's Minister for the removal of the prohibition to export rags. The Russian Government refused to make any reduction in the export duty on rags." On the 11th of January of this year, the Board of Trade called upon us to make representations to Foreign Governments upon the same point, sending a memorandum upon that subject. I will hand in their letter and memorandum (*handing in the same.*—Vide *Appendix*). We wrote on the 21st of January 1864, to one Ministry in the States which were immediately connected with the Zollverein, Berlin, Hanover, Dresden, Wurtemburg, and Frankfort. This was our letter: "I transmit herewith to your Excellency a copy of a letter from the Board of Trade forwarding a memorandum on the subject of the duties levied on the export of rags from foreign countries, and urging that advantage may be taken of the Conference on the Zollverein Tariff about to be held at Berlin, to obtain a reduction of the duty in question in the States of the Zollverein. I have to instruct you to communicate copies of this memorandum to the Governments to which you are accredited, and to urge them to instruct their representatives at the Conference to support the adoption of a more liberal policy than has hitherto prevailed in the Zollverein with regard to the exportation of materials for paper making." On the 13th of February 1864, we wrote to our Ministers in Spain, in Austria, in Russia, in Portugal, in Belgium, in Holland, and in Denmark, this letter:—"Sir,—Her Majesty's Government have instructed Her Majesty's representatives in the several German States, to urge upon the Governments of those States the adoption of a more liberal policy in regard to the exportation of rags and other materials for paper making. I enclose a copy of the letter from the Board of Trade, and of the memorandum enclosed in it, and I have to instruct you to bring the general question of the duties levied on the export of rags before the Government to which you are accredited, and to press upon that Government the adoption in the States of which it is composed, of a liberal policy in regard to this article of import trade." On the same day we wrote to Lord Cowley sending copies of that circular, saying, "I transmit to your Excellency herewith, for your information, a copy of a letter from the Board of Trade enclosing a memorandum on the subject of the duty imposed on the exportation of rags from various foreign countries. I also enclose a copy of an instruction which, in compliance with a suggestion of the Board of Trade, I have addressed to Her Majesty's representatives in the States of the Zollverein, directing them to urge upon those States the adoption of a more liberal policy in regard to the export of materials for paper making. I further enclose a copy of a similar instruction to the representatives of other Courts, and I have to instruct your Excellency to ask the attention of the French Government to this matter, and also to invite them, if they should see no objection to doing so, to support the representations of Her Majesty's Government to the Zollverein, and other States in this matter."

E. Hammond, Esq.

14 June 1864.

1827. Therefore, in fact, every effort has been made by the Foreign Office to induce foreign Governments to make a reduction in the export duty upon rags, has it not?—Yes.

1828. Have you read the memorial addressed by the Manchester Chamber of Commerce to Lord Palmerston?—I have.

1829. Are the statements of that memorial consistent with the true state of the case?—I should say certainly not.

1830. Mr. *Cobden.*] I think I understand you to say, and it is also stated in some of those papers which you have read from some of your junior members of the Foreign Office, that you take no steps with reference to commercial matters abroad, except after you have consulted the Board of Trade?—I said in my evidence a little while ago that we might act at once upon a case of palpable and evident grievance which did not seem to require communication with the Board of Trade; but, generally speaking, if there is any doubt, even in a case of that kind, we should communicate either with the law officers or the Board of Trade; but with respect to a communication of a more general nature, having for its object to modify a tariff, or to obtain facilities for commerce, or with respect to a representation made by a foreign minister on a commercial matter, such communications are invariably, I may say, acted upon in strict consultation with the Board of Trade; I cannot speak to every paper of that kind that comes into the office, but that is the general rule. There may be a paper now and then which has not been sent to the Board of Trade, but what I have stated is the general rule and practice of the office.

1831. I understand you to say that you did not think that the Foreign Secretary would ever act, except after consulting the Board of Trade, upon a commercial question?—Certainly, with the exception which I stated, he would act in no commercial question which involved a discussion with a foreign government, except upon a mere matter of complaint, or something of the sort, without consulting the Board of Trade.

1832. I understand you to say that the rule at the Foreign Office with reference to commercial questions is analogous to that with reference to certain other subjects; for instance, that you have constant communications with the Admiralty upon naval questions?—Yes.

1833. And you put the connection between the Foreign Office, and the Board of Trade in the same

E. Hammond, Esq.

14 June 1864.

same category as that between the Foreign Office and the Admiralty, do you not?—Yes.

1834. Is there not a distinction between the two cases; in the case of the Admiralty, with which I believe, if I am well informed, you have probably even more communication than with the Board of Trade, is it not the fact that the communications which you have with the Admiralty generally assume the form of direct instructions to the Admiralty to act in a certain way under certain given circumstances?—I should say that we receive more letters from the Admiralty than from the Board of Trade.

1835. Are not your communications with the Admiralty in the form of instructions generally?—Occasionally we ask their opinion.

1836. Do you ever take directions, for instance, upon a matter of policy from the Admiralty?—No; the Secretary of State conveys the Queen's pleasure to the Admiralty.

1837. Is there not this difference between your connection with the Board of Trade and with the Admiralty, that you write in all cases for information, I might almost say for instruction, from the Board of Trade?—We certainly do so; we expect that the Board of Trade will give us guiding knowledge upon all matters relating to foreign commerce, just in the same manner as we expect the law officers of the Crown to give us guiding knowledge upon all matters of law.

1838. I understand that you apply to the law advisers only in a case affecting international law, or a matter in which a legal question arises, but that in all your negotiations with foreign powers, in all your communications abroad with reference to commerce, you consult, as a matter of course, the Board of Trade before you take any step?—Yes, and very frequently the law officers of the Crown.

1839. That is only in a particular class of cases, is it not?—Yes; with reference to treaties.

1840. I understand you to say, that you have eight senior clerks?—Yes.

1841. You say that those eight senior clerks, each manage a separate division of the office, that one of them "superintends the correspondence with Her Majesty's Consuls, with the exception of those in China, Japan, and Siam; another superintends the slave trade correspondence; and the remaining six, the political and commercial correspondence of their respective divisions." Do you see an insuperable difficulty in setting apart a senior clerk, or having a department at the Foreign Office, which should be sufficiently informed upon commercial questions to enable you to correspond with foreign countries, without taking instructions by correspondence from the Board of Trade?—I should say that it would be very objectionable; indeed, I do not think we could collect sufficient information in that way to enable us safely to act without reference to the Board of Trade. Even in foreign countries, where they have a commercial division in the Foreign Office, such as you suppose, they invariably deal with all matters of trade, either if there is a Minister of Commerce, in concert with that Minister of Commerce, or if there is no Minister of Commerce, in concert with the department which represents it, whether it is the Finance Department or whatever it may be: that is the general rule. I have inquired into the practice of foreign countries, and I find that there is hardly a country in Europe which has not a department which the Foreign Office consults in regard to matters of trade. Even though in the distribution of the work at the Foreign Office there should be a department for commerce, it would be a mere departmental arrangement. We think it well to divide our work in one way, and foreign offices abroad think it well to divide their work in another way.

1842. You have one clerk who superintends the Slave Trade correspondence; I do not exactly understand upon what ground you justified that departure from your ordinary rule, which you refuse to depart from in the case of the commercial interests of this country?—I said, if I may remind you, that I regret that arrangement; I do not like the arrangement. I would much rather it was as it was when I first came into the office; the Slave Trade correspondence was then distributed through the several divisions of the office. I should be very reluctant to do anything in the office which might tend further to limit the information of the clerks generally; I like them to be informed of everything that is going on.

1843. I understood you to give as a reason why you could set apart one department for the Slave Trade correspondence, that it did not involve political questions?—It does not involve the current political questions of the day, such as are involved in commercial questions; commercial and political questions are very much blended together.

1844. Have you not had grave questions arising out of this Slave Trade correspondence, both with the United States and with France?—Yes, but they were exclusively Slave Trade questions; there were not two questions blended together.

1845. I understand you to say that you would not like to see a department entirely created for commerce, which I will call a Free-trade department, by the side of the Slave-trade department, because you would withdraw the commercial knowledge from the clerks as a whole, and thereby deprive them of the information which they now obtain; what is the benefit of that knowledge, if you never take a single step without consulting the Board of Trade?—I do not see what we should gain by having such a department, because, as far as communication with the Board of Trade goes, it would be just the same.

1846. Let me call your attention to what the class of questions must be with which you would have to deal in our commercial relations with foreign countries; of course you do not expect to enter into treaties with many foreign countries, by which you will simultaneously make any alteration in our tariff, because, as our tariff is now, in a free trade sense, completely reformed, you can no longer do anything of that kind: but looking at the fact that the bulk of the communications with Foreign Governments with relation to trade must be with reference to questions of detail, or to satisfy the public mind that you are doing something to promulgate those sound principles of trade which we have now adopted, could not those communications be carried on by having some one in the Foreign Office having the necessary knowledge to communicate through the Secretary of State for Foreign Affairs with the Foreign Governments, and with our own ministers and ambassadors abroad, without going

across Downing-street to another office whenever a step is taken in these comparatively trivial matters?—As Under Secretary of State for Foreign Affairs I should be very reluctant to sanction such a principle; I should be afraid to do it.

1847. Will you tell me what you are afraid of in the case of such comparatively insignificant matters?—We might involve ourselves in a difficulty; I can give an illustration if such a difficulty might arise. There was a case the other day which was a matter, apparently, of a very palpable and self-evident character; it was a question of some complaint against the way in which certain sewing-machines were dealt with in France. It seemed to be such a simple question that we thought we might dispose of it ourselves, and we had some correspondence with the French Government upon the subject, but we did not prevail with them, and the parties were not satisfied; at last we asked the opinion of the Board of Trade; and we then found that the same principle was involved in that question as was involved in another question which was also in discussion, namely, a question about petroleum. A good deal of correspondence took place, when I was absent from the office from illness, but the result has been that, after a long correspondence, we have been obliged to take the opinion of the law officers of the Crown upon it; that shows the danger of our dealing with such questions without going at once to the Board of Trade, or the department whose duty it is to advise upon them.

1848. You have stated that you have seen the Foreign Office a good number of years, that you know what the Foreign Office can do for its own purpose, and that you believe that the Foreign Office is, perhaps, one of the most efficient offices under Government, but by placing upon you a duty that you were perfectly incompetent to discharge you would be swamped altogether; do you still continue of opinion that you could not incorporate with your department a branch where commercial subjects could be attended to?—I am decidedly of that opinion.

1849. You are aware that whilst commercial men, Chambers of Commerce, and so on, may fail altogether to present to us any technical mode of effecting a change in the departments, they are very much dissatisfied with the way in which this double action of the Board of Trade and the Foreign Office works?—It appears to be so.

1850. You are aware that they are dissatisfied?—Yes, but without any real or sufficient reason.

1851. Is not that dissatisfaction in itself an argument why an attempt should be made to remedy what is felt to be a grievance?—I think it would be very undesirable to purchase the remedy of a supposed grievance, by injuring the working of a very efficient public office.

1852. You would consider it a very good reason for effecting some change if it were practicable; you do not consider that you are to be altogether totally regardless and independent of public opinion in such matters?—I should always wish to consult public opinion, as much as I could, but I would not sacrifice the Foreign Office to it; I think nobody knows so well what the Foreign Office can do as those who are engaged in conducting the business.

1853. Is not there another view of that question, and may it not be that those who have been for 40 years accustomed to the routine of public business are very averse to changing it?—I am very glad you have asked me that question, because the fact is, that we have no such obligatory routine in the office; we are always ready to change when a change can be effected with advantage. In my experience of the Foreign Office, the clerks, with the assistance of the Under-Secretaries and the permission of the Secretary of State, have been constantly changing the working of the department. We should make a change if we saw occasion for it. We have the office now upon a very excellent working footing, and, therefore, there is less room for any change; but if I saw any advantage likely to result from any alteration in the system of carrying on the office, or if a senior clerk saw any advantage likely to result from an alteration in the system of carrying on the office, and satisfied the Under Secretaries that such would be the result, it would at once be adopted; we are not bound or wedded to any rules whatever, except in so far as we consider the efficiency of the office is concerned.

1854. Has it ever occurred to you that you might have the functions of the Board of Trade, so far as regards those communications with foreign countries upon matters of trade, carried on in your own department without any increase of labour at all?—I have never looked at it as a question of labour. I looked upon it as a question of expediency with regard to the general working of the Department. I think it would be excessively undesirable to import any part of the business of the Board of Trade into the Foreign Office.

1855. At the present moment all commercial questions requiring communications with foreign countries pass through your hands, is not that so?—Yes.

1856. You do not allow the Board of Trade to communicate abroad, do you?—No.

1857. You think it necessary that you should communicate with the Board of Trade upon all foreign commercial questions, do you not?—I may say generally we keep them fully informed upon those questions.

1858. Does not the having to correspond by letter with the Board of Trade upon every question that you have to deal with in commercial matters, give you more trouble than if you could bring into your office a clerk, or clerks, from the Board of Trade who would give you the same knowledge which they afford to their chief, for I suppose that you are not ignorant of the fact that it is not the successive Presidents of the Board of Trade with whom the knowledge of the Board of Trade is deposited, but with the permanent officers there?—Yes, with the permanent officers.

1859. Would you not have less labour instead of more, if you had on your side of Downing-street one or two of the gentlemen from the Board of Trade, who really furnish all this information which you deal with, after you have written to them for it?—Generally speaking, I am not very fond of verbal communications; I like to have a thing down upon paper, because there it is to be referred to. Verbal communications are very often forgotten in a year or two, or even in a short time after they are made; but it is very desirable in a matter of the least importance, and nobody can tell in our office what matter may not assume importance in the course of

E. Hammond, Esq.

14 June 1864.

of a discussion, that we should have all that passes upon record.

1860. Seeing that you have insuperable objections to adding a small commercial branch to your department; turning to the other view of the question, have you insuperable objections to the Board of Trade communicating abroad upon trivial matters of detail connected with trade?—Equally insuperable; in the first place, we should depart from the rule universally observed throughout Europe; I will not say, that there is no exception in the case of any foreign Government, because I am not sure that there may not be one. But as a general rule throughout Europe, every communication made to a foreign Government upon matters of trade, is made through the department of the Secretary of State for Foreign Affairs, whatever the denomination of it may be; the Ministers of Commerce do not communicate with foreign Governments.

1861. Our commerce is much larger than that of foreign countries, and you have admitted that in the case of the commercial treaty with France, that rule was, to a certain extent, departed from?—It was departed from for the sake of convenience and expedition, but it was departed from merely in a matter of sheer detail, as to whether certain articles should bear certain imposts, or whether they should be rated in a particular way; whether cottons, for instance, according to their different numbers, should bear this or that duty; and whether iron, according to its different qualities, should bear this or that duty. The Board of Trade, at the same time, were in communication with the various commercial bodies, whose deputies were in communication with you in Paris. In that case, we were anxious to expedite the matter, and therefore we did not adhere to the routine which you appear to suppose we constantly adhere to; it is an illustration of our principle, that there is no fixed rule, but that on the emergency of the moment we will make a rule for the time.

1862. You stated that when the question was, whether there should be a commercial treaty with France at all, that was a subject which was referred to the Foreign Office, and the Board of Trade took no action in the matter; but that when it was decided that the treaty should be entered into, and it became merely a question of details, the whole matter was handed over to the Board of Trade?—You speak of the supplementary convention; we were bound by treaty to make that supplementary convention; the instructions to the Commissioners were drawn in the Foreign Office; the general instructions which formed the basis of all their proceedings emanated from the Foreign Office. I drew them myself; they stand in record in my own handwriting. Those instructions were, when the draft was drawn, seen by the President of the Board of Trade, and seen by the Chancellor of the Exchequer, and of course by the Secretary of State. They were adopted almost without any alteration; therefore we may fairly say that they emanated from the Foreign Office. They were founded upon a long memorandum previously drawn up by me upon a letter from the Board of Trade.

1863. The principle of the treaty having been affirmed, and the treaty itself having been signed by the Plenipotentiaries, then the business of arranging the details of the French and English tariffs was left to the Commissioners in Paris, of whom I was one, and we were instructed to correspond with the Board of Trade?—For the purpose, as is stated in the instructions, of saving time. But I should say that the conventions to which the tariffs were annexed were not signed till the tariffs themselves were settled.

1864. Seeing that you can have no more commercial treaties with any foreign Government after that, all your communications must either have reference to details, or to the propagandism, I may say, of free-trade principles; why could not that which was found so convenient in the case of the Commercial Treaty with France, namely, the direct correspondence of the Board of Trade with your agents abroad, be allowed, under some provision, to be repeated in future cases?—I apprehend that if there was another tariff arrangement, as there was in the case of the French Treaty, we should, as I have said already, apply to the Board of Trade for the assistance of a qualified person. We constantly apply to the Board of Trade, if there is occasion to do so, to send a qualified person to inquire into a commercial matter in agitation, and to assist our ministers. And if a question should arise arranging the details of a tariff, we should apply to them to send an expert over, but only for that particular occasion. The person so sent would not be put in communication with the Minister of Commerce, or if he were put in communication with the Minister of Commerce, or any person in his department, it would always be in strict subordination to the diplomatic representatives of the Crown there; he would be merely acting as a clerk for the time being to the Diplomatic Minister.

1865. The Government sent out to Paris with me, as the Assistant Commissioner, Mr. Mallet, of the Board of Trade?—Yes.

1866. Since the treaty has been arranged, a very great number of small questions have arisen in the working of the treaty with France; and reference has frequently been made to me; I have invariably sent the parties to Mr. Mallet at the Board of Trade; I presume that in all such cases Mr. Mallet can only communicate with the French Government through the Foreign Office?—I am not aware that Mr. Mallet communicates with the French Government at all; if he does, it is very irregular.

1867. I presume that Mr. Mallet, when he has seen a manufacturer here who has some grievance with reference to the operation of the treaty, and has heard his case, has no means of communicating with France except through the Foreign Office?—Allow me to say, that although I admit Mr. Mallet's great abilities and qualifications, I do not recognise him either as the organ of the Board of Trade, or as the organ of the British Government; under any circumstances, he can only act through the President of the Board of Trade.

1868. I will follow you step by step; Mr. Mallet having heard the grievance of a manufacturer upon some small matter of detail in the working of the treaty with France, could not go to the President of the Board of Trade, and through him communicate with any one at Paris; but the President of the Board of Trade having heard the case of this grievance must come over to you in the Foreign Office; that is so, is it not?—Yes, that is so.

1869. You

1869. You have mentioned the case just now of a sewing machine; that is a question of a disputed patent right, is it not?—No, I think the question there was not a question of patent right; the question there arose about the examination of the machine by an expert, or something of that kind; you are aware of the transaction; I cannot exactly state the facts, but it seemed a very simple question. As far as I remember that case, it was that some firm complained that they had sent over some sewing machines to Boulogne, and that they were challenged as not being of British manufacture, but as being of American manufacture, and were detained at Boulogne a very long time, so that they became deteriorated; the question arose upon an application to the French Government for compensation to the party; it seemed a very simple case to us in the first instance, and we thought we might deal with it at once; we had no idea that it was connected with the petroleum question.

1870. Other questions have arisen, of mere detail, connected with the copyright of designs, law, and other matters, and you still adhere to the opinion that in all those cases the matter must pass from the President of the Board of Trade into your hands, and that no communication should be made upon any matter of detail between the Board of Trade and Paris?—I certainly consider that the Secretary of State for Foreign Affairs is the only organ of Her Majesty's Government in communicating with Foreign Governments.

1871. Then you place the commercial world in this dilemma: you say you decline having any one in your department who is competent to deal with commercial questions, and you also object to any one in the Board of Trade who does comprehend these questions, communicating directly with any authorities at the Embassy at Paris, or elsewhere?—I certainly do; but there is no difficulty, that I can see, in a communication being made from the Board of Trade to us. I apprehend that the whole trade of the country hangs so much together, that it is necessary in dealing with foreign commercial questions, that you should do so with full knowledge of their bearing on the general trade of the country. Such knowledge the Board of Trade possesses, and it is better that it should impart it to the Foreign Office, rather than leave the Foreign Office to act upon the limited and imperfect knowledge which it might obtain for itself.

1872. You lay down an absolute rule, I had almost called it an irrational rule, that in the case of all complaints, however trivial, with reference to the working of the Treaty of Paris, or the detail of our commercial arrangements with any other country, you refuse to authorise a competent clerk or secretary to be in the Foreign Office to receive a merchant, and understand him, and communicate directly through his own chief abroad. And, at the same time, you maintain that it is quite as convenient for the merchant or manufacturer to go to the Board of Trade to see Mr. Mallet, and then for Mr. Mallet to communicate with the President of the Board of Trade, and for the President of the Board of Trade to communicate by letter across the street with you, and for you to communicate with the Secretary of State for Foreign Affairs, and for him to communicate with Lord Cowley at Paris. Do you think that such a complicated system as that can be satisfactory to the commercial world, unless you show better reasons than you have hitherto given against any change?—I do not think there is that complication which you have represented; it seems to me to be a process much less complicated than you imagine. I see no difficulty in it. Though Mr. Mallet may have seen the person complaining, he could not himself act without the sanction of his official chief.

1873. Mr. Mallet was sent to me as Assistant Commissioner in Paris, I only knew him then, I did not know him before, but I found him a gentleman exceedingly well informed upon commercial matters, I might say deeply versed in those sound principles of trade which we profess to have adopted in this country. Do you not think that as you are to have constant applications on trivial matters connected with our commerce with foreign countries, it would be an advantage to have a person as well informed as Mr. Mallet is, in direct communication with that Department which has to correspond abroad upon the commercial questions which are brought under its notice. I do not speak of Mr. Mallet as an individual, I only speak of him as the gentleman who was sent out to Paris to me, where I made his acquaintance?—I think that goes upon the assumption that the Secretary of State for Foreign Affairs is to take the word of his clerk, without investigating the matter himself. I consider that nothing would be more objectionable than to establish a system which would make a subordinate office the ruling spirit of the Foreign Office in commercial matters. The Secretary of State not having time to acquaint himself with the details of such question, would be placed according to your suggestion in dependence on the clerk. I think there could be nothing more objectionable than a system which would make the Secretary of State wholly dependent on a subordinate officer, be he an Under Secretary of State or be he a clerk, who would rule, as it were, the office.

1874. Would you not rather say, to represent the office; because, I take it, that the gentlemen sent out to represent the Government in a matter of such importance as the arrangement of the details of the Commercial Treaty certainly was, would be considered a very safe adviser for the Secretary of State in that particular branch to which he had given great attention?—I think that a Secretary of State responsible to Parliament would ill discharge his duty if he allowed matters to go on without getting to the bottom of them himself. I think that the House of Commons would saddle the whole responsibility upon the Secretary of State.

1875. I understood you to set out by stating that the Secretary of State for Foreign Affairs acts implicitly upon the knowledge and information of the Board of Trade in commercial questions?—He does not necessarily do so; he exercises his own judgment. In addition to that, the opinion of the Board of Trade, upon which he acts, is not the judgment of a clerk, but of a Cabinet Minister, who equally with the Secretary of State, is responsible to Parliament and the country. It is the opinion of a Cabinet Minister having access to details.

1876. The President of the Board of Trade, as a rule, is a Cabinet Minister, is he not?—Yes.

E. Hammond, Esq.

14 June 1864.

1877. Would not that be an additional reason why that Department might be left to communicate with a department in the foreign embassies, upon mere questions of detail connected with trade?—I do not know whether you mean that the Board of Trade should instruct a department in our embassies upon matters of trade, or that it should communicate directly with the Governments of foreign countries.

1878. Are not all communications from your department to foreign countries sent to your foreign Minister?—Not always: sometimes they are, and sometimes to the representative of the foreign country in London.

1879. As a rule?—There is no fixed rule upon the subject; very often the French or some other Ambassador writes directly to us, and we answer him directly.

1880. Would it not be competent for the President of the Board of Trade to see the French Ambassador in London in the same way as the Secretary of State does?—His doing so generally would be objectionable, because the Secretary of State for Foreign Affairs is the representative of the Crown in dealings with foreign countries, and it would be very inconvenient to have two representatives of the Crown discussing separately the same question. It has been found so inconvenient to have foreign Ministers going to other departments, that a circular has been sent to them more than once, begging them to abstain from doing so; in fact, until the time of the Exhibition, the application to see a dockyard used to be made through the Foreign Office, but we relaxed the rule in that particular, and foreign Ministers may now apply directly to the Admiralty: however, that may sometimes be attended with inconvenience, because they may let in unwittingly a person to see things which he ought not to be admitted to see.

1881. I think I understood you to say that Lord Clarendon had adopted the innovation of requiring the secretaries of legation abroad to send home reports upon the commerce of foreign countries periodically?—Yes.

1882. Seeing that you have given to that extent certain duties of a commercial character to a secretary of legation abroad, would there be an insuperable difficulty in your allowing communications to be made to an Ambassador or Minister abroad from the Board of Trade through the first Secretary, upon commercial questions?—Yes, because when you refer to the circular, you will see that we do not take the Secretary away from his dependence upon the Minister; we require him to send his Report through the Minister; we do not relieve the Secretary from strict subordination to the Minister. The real reason of requiring the Reports was, that from the position in which the secretaries of legations are, they, when their chief is present, have not very much to do, and we thought it was very desirable to give them something to occupy their minds, and to test their abilities; that was the origin of that circular.

1883. You are aware, are you not, that amongst the commercial bodies in this country there is, and has been for many years, a very high opinion of the intelligence within the Board of Trade upon all commercial questions?—I should think so; the President of the Board of Trade can speak more of his own Department than I can, but I have every reason to suppose that there are some very able men in the Board of Trade.

1884. Are you aware that there is considerable discontent felt amongst the chambers of commerce and commercial men, who communicate with the Board of Trade, upon matters of business, on account of their feeling that, in their communications there, they are not dealing directly with those who are to represent their case abroad?—It would seem so from the evidence before the Committee; but I can only say that I think it is a very unreasonable discontent.

1885. Do you think it is unreasonable that commercial men should complain of a system by which there is great delay caused in the realisation of their objects, in reference to these questions of detail in foreign countries?—That involves an assumption that there would be less delay if the business was wholly managed by the Board of Trade.

1886. Do you think it possible that there can be a double action between the Board of Trade and the Foreign Office, such as you have described, upon commercial questions, without necessarily causing delay?—There is no delay to be spoken of; there need not be.

1887. Are you aware, also, that there is a conviction on the minds of the commercial classes that their case is not so fully represented to the parties through whom their communications with foreign countries must be made, as if they had themselves direct communications with those parties; I refer to the parties at home, who have charge of the commercial communications with foreign countries?—I cannot answer for the impression that there may be among commercial men. As to whether it is the case in reality, that is a question which I should wish the President of the Board of Trade to answer, because it is a question involving the Board of Trade; I presume that the Board of Trade having received a representation, impart it faithfully to the Foreign Office, with the benefit also of their opinion upon it.

1888. Take, as an illustration your own case, if you had a matter to communicate to a party, upon which you were better informed than the party to whom you were going to communicate it, would you not feel more satisfaction in coming into direct contact with the party to whom you wished to impart your wishes, or state your grievance, than if you knew that your statement had to go through the hands of a third party?—In the practical working of the thing, I do not think there would be much advantage gained, because if the commercial men only came to us, we should have to refer to the Board of Trade, and the Board of Trade would have to send their answer back to us.

1889. In order to illustrate the nature of the complaint, I may put it thus: the complaint is, that the party who has to act, is ignorant, and the party to whom the representation is communicated being well informed and intelligent, has not the power to act?—I contend that, do what you like with the Foreign Office, you could not obviate the necessity of its referring to the Board of Trade, unless you blended the two offices together, and made the Secretary of State for Foreign Affairs also the President of the Board of Trade. That is the groundwhich I take, and it is a ground which I think the President of the Board of

of Trade will admit, because it is necessary, I apprehend, in all commercial questions, that you should have general and complete knowledge. I do not see how the Foreign Office, except it had the Board of Trade actually thrown into it, could possess the general and complete knowledge which would enable it to deal safely with commercial questions, in which the commercial men of the country are interested. We might be dealing with one question, without knowing that in dealing with that question we were interfering and clashing very much with another.

1890. What difficulty or inconvenience do you apprehend, in allowing the President of the Board of Trade to communicate directly with the Embassy at Paris, assuming it to be a regulation that this communication from the Board of Trade passes into the hands of the First Secretary of the Embassy, to execute a little Ministerial commission?—It is an old saying, that "a man cannot serve two masters," and an ambassador would be placed in great embarrassment if he had to serve both the President of the Board of Trade and the Secretary of State for Foreign Affairs.

1891. You take into consideration the fact that the President of the Board of Trade is a Cabinet Minister?—You might as well say, why should not the First Lord of the Admiralty, in regard to a naval matter, or the Home Secretary, in a case of extradition, or a lunatic sent from France, they equally being Cabinet Ministers, equally communicate directly with our Ministers abroad.

1892. An admiral is in communication with our Ambassadors when he is upon a foreign station, is he not?—I speak of the Admiralty Department.

1893. Mr. *Layard.*] Is there no distinction between the Admiralty Department and an admiral abroad?—An admiral abroad, of course, communicates with our Ministers abroad; but a British Minister, or diplomatist, whatever rank he may hold, has no authority, as a general rule, to give any order to an admiral or other naval officer. If an Ambassador was to give an order to an admiral, unless by previous arrangement between the Foreign Office and the Admiralty, of which I can only remember one or two instances occurring in my long experience, and if the Admiralty were to become aware that the Minister had given that order, the Admiralty would very properly call our attention to the irregularity, and we should notice it to the Ambassador.

1894. Mr. *Cobden.*] Do you think that there would be any serious disadvantage to the diplomatic service, in a political sense, if the Board of Trade were put in communication with the embassies abroad in matters of detail, upon commercial questions?—It might happen that there would be contradictory instructions emanating from the two Departments. Politics and commerce are so much blended together that you might often have contradictory instructions issued on the same point. The parties receiving double instructions, emanating from equal authorities, would be very much puzzled how to deal with those contradictory instructions.

1895. Seeing that the commercial community feels aggrieved at the present organization of these two departments, and seeing that the House of Commons has appointed this Committee, which is a *primâ facie* proof that they accept the complaint as deserving of attention, do you see no way of remedying it either by an alteration of the Board of Trade, or the Foreign Office; in fact by effecting any alteration to meet the wishes of the commercial community?—I think no change could be made that would benefit the commercial world in the way which they anticipate; that is my opinion.

1896. No successful change?—No.

1897. I have put to you two alternatives, the one of giving more commercial knowledge to the Foreign Office, and the other of giving a sort of semi-diplomatic power to the Board of Trade; do you think both those propositions so objectionable that you have no preference for the one over the other?—I think that they are both useless and objectionable.

1898. Mr. *Seymour Fitzgerald.*] With reference to the French Treaty, I understood you to say that the Commissioners corresponded directly with the Board of Trade in order to settle all questions of detail?—Yes, of tariff values.

1899. Upon questions also, I suppose, of the classification, and other matters of detail, that would arise out of the tariff settlement?—Yes.

1900. Questions have been put to you with regard to the difficulties arising out of the action of the treaty with reference to points of detail, and you have expressed a strong opinion against the Board of Trade dealing with them directly in communication with our Ministers abroad?—Yes.

1901. In what respect can you draw a distinction between the details that were to be settled at Paris directly by the Board of Trade, and those details which were felt to be grievances, which were to be regulated by the Foreign Office?—In the first place, what was done in the case of the French Treaty, was a mere assent of the Foreign Office to a departure from the usual practice; in the next place, there is a wide difference between such an immense movement as was involved in settling the Tariff, and supplementary Treaty, and dealing with a mere isolated case. We can deal with a mere isolated case in communication with the Board of Trade, but it would involve a good deal of delay if we dealt with the, I do not know how many different points, a thousand and more, which were involved in the Tariff. The departure from the usual practice was resorted to, as the instruction said, merely to save delay in the case of the French Treaty.

1902. If there were that difference it would be a difference in favour of permitting the Board of Trade to deal with the isolated matters rather than leaving it to deal with the general arrangement of a treaty, would it not?—We, being in communication with the Board of Trade upon those particular points, are very competent to deal with them.

1903. I assume that the points of detail are felt to be matters of grievance, and are brought to their notice by the commercial men, or by the Chambers of Commerce?—I do not think very many of those cases have occurred.

1904. I wish to direct attention to the principle?—Whatever the principle may be, I should prefer being a practical man to deal with the thing practically. Practically these cases are of such rare occurrence that there can be no occasion to break down the rule, which confines to the Secretary of State for Foreign Affairs all communication with foreign countries.

E. Hammond, Esq.

14 June 1864.

1905. Is not the system at once broken through by the permission which you gave at the time of the French Treaty to the Board of Trade to deal with these matters of detail?—That was an exceptional case, as I have said before. If a great object is to be attained, we, at the Foreign Office will not bind ourselves to observe a rule, however salutary it may be in ordinary cases.

1906. In what respect was that an exceptional case, and why should not the Board of Trade correspond directly with our agents abroad upon matters of detail connected with tariffs in the case of other countries, as they did with great advantage in the case of France?—In the first place, the Board of Trade did not correspond with our diplomatic agents. Mr. Cobden, though holding a diplomatic full power to sign a treaty, and the gentlemen who accompanied him to Paris, went there for a special purpose connected with trade; it was a special matter to settle this tariff.

1907 That makes the case rather stronger, as it appears to me; because, who did Mr. Cobden and his colleagues represent, the Board of Trade, or the Foreign Office?—They represented the Government.

1908. What department of the Government?—They represented the Foreign Office.

1909. Then the Board of Trade did communicate directly with the representatives of the Foreign Office?—Yes; but there is a wide difference between our ordinary diplomatic establishment and the diplomatic commission upon which those gentlemen went. I think you cannot identify this special mission upon a special subject with our ordinary diplomatic missions which are in communication with the Secretary of State for Foreign Affairs. I am not aware that Mr. Cobden was at all in communication with the Secretary of State for Foreign Affairs with reference to the details of the Tariff.

1910. Does not, in your opinion, the case of the French Treaty, in which the Board of Trade were in direct communication with the parties who were negotiating the details of the French Treaty, establish this, that in cases where matters of detail are principally concerned, there are occasions where it is a great advantage to have direct communication between the department representing the commercial interests of this country, and those engaged in diplomatic transactions abroad?—I must answer that question with reference to what Mr. Cobden has just now incidentally stated. If that rule were to be enforced in England upon the grounds which Mr. Cobden has stated, the same rule should be enforced in France. But although Mr. Rouher, the Minister of Commerce, was acting in regard to the negotiation of the tariff, in the same capacity as Mr. Cobden, and settling it without special instruction in regard to each item from the Minister for Foreign Affairs, yet as far as my information goes, the Minister of Commerce is not now allowed to correspond with a foreign Government upon any matter, however trivial, in reference to commerce, except through the Minister for Foreign Affairs.

1911. Then your objection to the adoption of such a practice in this country is, that it is not the practice adopted by foreign countries?—No; I was giving an explanation in regard to what Mr. Cobden said just now. He deduced from the fact that he at that time was, as you may say, acting under the orders of the Board of Trade, the inference that it was a sound practice for all time. I say that although at that time in France a similar practice was adopted by the French, they have reverted to their old practice at the present time. The relations between the Minister for Foreign Affairs in France and the Minister of Commerce in France, and the Foreign Office in England and the Minister of Commerce in England, as far as I can make out, are as nearly as possible the same. I asked Lord Cowley the other day, as to the practice in France, and he told me that they require that every transaction connected with commerce with a foreign country, should pass through the Foreign Office. That is the general rule there, as it is the general rule with us.

1912. There has been a modification of that general rule, has there not?—Both countries modified it upon the special occasion of the French Treaty, but it was not a modification, which, as far as my information goes, was persisted in in France, and it has not been persisted in in this country.

1913. The question was put to you, why should not the Board of Trade correspond directly upon questions concerning the commerce of the country with our diplomatic agents abroad, and you give the answer, "No man can serve two masters;" does not that proverb rather arise from this, that it is supposed that the interests of those two masters might conflict?—The views of the two masters might conflict; that is to say, the Board of Trade might give an instruction without reference to, and in ignorance of, a state of general politics prevailing at the time, which might clash with instructions given by the Secretary of State, in reference to that state of things.

1914. Do you suppose that the Minister of Commerce in this country would be entirely ignorant of political questions abroad which might affect commercial questions?—He would not be entirely ignorant; but there might be matters within the knowledge of the Secretary of State which the President of the Board of Trade might not be aware of.

1915. Do you think that a state of things might not be prevented by communication between the Departments, or by representations made by foreign agents abroad in such an exceptional case as that?—You must know as well as I do that the Secretary of State for Foreign Affairs must constantly be in possession of information which would not properly be matter of communication between him and the Board of Trade.

1916. Therefore, you express the strongest opinion against any arrangement by which there should be direct communication between the Board of Trade and our Ministers abroad?—I have the strongest opinion against any such arrangement.

1917. Do you take the same objection with reference to direct communication between the Consuls and the Board of Trade?—I think it would be attended with inconvenience; that is my impression; and I have always regretted that I had not been Under Secretary of State a year, and therefore felt my own place more when the mercantile marine instructions went from the Board of Trade, otherwise I should have done my best to prevent their being so sent; I should have done my best to keep them in the Foreign Office.

1918. Your

1918. Your objection to having direct communication between the Board of Trade and our Ministers abroad is, that there might be political questions at the time pending between the two countries, which might give rise to a kind of conflict of jurisdiction between the two Departments?—Yes.

1919. But in the case of Consuls from whom we only derive information, and who have nothing to do with reference to direct political action in the country in which they are placed, how could the same objection arise?—Because although the consuls were certainly sent abroad originally for the protection of trade, they have a good many other duties to perform besides the protection of trade. They have to look after the general interests of British subjects in the place of their residence, they have to look after the chapel generally, and the protection of British subjects in matters of Police, and to look after British interests in matters of intestacy and things of that kind, which are not within the province of the Board of Trade, but which involve a great number of questions deeply interesting to parties concerned, and which naturally come within the province of the Foreign Office; perhaps I may explain to the Committee that the direct action of a consul in arguing and discussing matters of trade is nil; the local authorities at the place at which a consul is established, have no influence, or at any rate no direct guiding or ruling influence over the general decisions of the Government, which all emanate from the seat of Government where our diplomatic representatives are established; therefore, the only practical effect of the consuls corresponding directly with the Board of Trade upon commercial matters, would be, so far as I am aware, that instead of sending their consular reports to the Foreign Office, they would send them to the Board of Trade, since no instructions which could be issued to consuls upon matters of that kind would have any guiding influence upon the general relations between the country in which the consul was established, and the country at home.

1920. I gather from that answer that you do not see that great advantage would be obtained, rather than that you have any positive objection to such an arrangement being made?—I have the same objection which I have stated in the case of the Foreign Ministers, namely, that of having an officer corresponding with two Departments. I think it is always an inconvenient arrangement for an officer to take his orders from two Departments. The two Departments might see a question in a different light.

1921. I am speaking of information given by the consuls to the Board of Trade, or information that the Board of Trade wishes disseminated at the post where the Consul is placed; why should not the correspondence go directly between the Department and the Consul, and how would your objection arise, that the two Departments might see it in a different light, seeing that the object is one which you yourself say directly concerns the Board of Trade, and only indirectly, in the way of information, concerns the Foreign Office?—I said that the only thing would be, that a Consul might send his commercial reports to the Board of Trade; but if a Consul has to take any action in the foreign country, I claim for the Foreign Office, as a matter of absolute necessity, that the order to take action should emanate from us, because we must judge of the propriety of taking action in any case with reference to general considerations connected with our political relations with the foreign country.

1922. In cases where there is not political action concerned at all, you could not, as a matter of principle, object to a direct communication between the Board of Trade and a consul?—The difficulty is to draw a line, and to say that any question, which the consul might be required to raise, might not eventually involve political action; there would be such a state of confusion in the unfortunate consul's mind as to whether in any particular point he was subordinate to the Board of Trade, or to the Foreign Office, that a man would be driven wild; he would not know what to do.

1923. Is not the position this, that the Foreign Office will take no action without the advice of the Board of Trade, that the opinion of the Board of Trade must be formed upon the information given to them, and that instead of obtaining that information directly for themselves, they obtain it from a department that is unable to act without their counsel or advice?—I understand the question as applying to communications founded upon general questions of commercial policy. The Board of Trade obtain their information from other quarters besides the Foreign Office. We want the Board of Trade to obtain information for us from the whole commercial community, we cannot obtain it for ourselves.

1924. With reference to what is passing in foreign countries generally, by far the larger part of the information which the Board of Trade has to obtain, is obtained directly through the Foreign Office and its agents, is it not?—Certainly; but the Board of Trade must test all that information with reference to the general commercial interests of the country, and I apprehend that the Board of Trade would not blindly adopt any representation from any Chamber of Commerce, or any communication received from abroad, without looking at it in a general point of view, as to its general bearing upon the trade of the country.

1925. Would they not test the information they received direct from our diplomatic or consular agents abroad in the same way?—I presume they would.

1926. Would not the information be the same?—Only that if the result of the testing should be an instruction on the part of the Board of Trade, you would have our representatives abroad acting under two departments; that I conceive to be a great inconvenience. I cannot conceive anything so perplexing or likely to produce confusion in our communications with foreign countries, as having two departments giving instructions to the same agent; I think it would be a very inconvenient arrangement; it is a matter of opinion; I see great objection to it myself; the commercial world do not see an objection; but perhaps the best judge of a matter of that kind is the department which is brought into direct communication with our representatives abroad.

1927. Your real objection is, that occasions would arise when you think that the Board of Trade might give instructions direct to our diplomatic agents abroad, which ought more properly to go through the Foreign Office?—Unquestionably, I think so; if a rule was generally

E. Hammond, Esq.

14 June 1864.

generally laid down, that upon all occasions the Board of Trade might communicate their views directly to Ministers abroad, the utmost possible inconvenience would arise to the general interests of the country.

1928. You say in all cases; do you make the same objection to there being a direct communication between the Board of Trade and our diplomatic and consular agents upon those points upon which information is required?—I think there would be very great inconvenience in dividing the correspondence with our diplomatic and consular agents abroad between two departments of the Government.

1929. Mr. *Henley.*] The diplomatic agents abroad represent the Crown, do they not?—Yes, the Crown or the Government.

1930. The consuls are subordinate in their respective countries to the Ambassador or Minister, are they not?—Certainly.

1931. According to the constitution of our country, the communications to the diplomatic agents purport to be communications from the Crown?—Yes.

1932. According to our Constitution those communications must be through the Secretary of State?—Yes.

1933. Therefore, whatever the reasons might be, supposing they were to prevail, for permitting any other department to communicate directly with the representatives of the Crown in foreign countries, I suppose it would be necessary to create that department into a secretaryship of State, according to the present practice of our Constitution?—The rule is that the Secretary of State is the only person authorised to signify the Queen's pleasure. We signify the Queen's pleasure to the Admiralty, and other departments.

1934. The communications to diplomatic agents abroad, from this country, purport to be the communications of the Crown, do they not?—Yes.

1935. And therefore, necessarily, by the constitution of this country, they are signed by the Secretary of State, who is responsible for them?—They are signed by the Secretary of State, or by his direction.

1936. The case which has been alluded to in Paris was to this effect, that a certain part of that duty, for a special purpose, was delegated to particular persons?—Yes.

1937. If I understand you rightly, you considered that that is an exception by no means bearing on the general rule with regard to all these communications?—Certainly; it was so much an exception that a special paragraph was inserted in the instruction to that effect.

1938. Therefore it was, *pro hac vice*, a delegated authority to another department to do what, under ordinary circumstances, you would have done yourselves?—Yes.

1939. Mr. *Cobden.*] It was understood at the time that the exception was made to economise time and labour, was it not?—Yes, it was; the matter was pressing, and had been very much delayed, from no fault of the British Government, but from the delay of the French Foreign Office in preparing for negotiating the Supplementary Treaty. Strictly speaking, it ought to have been negotiated immediately after the other treaty, but it was not until the month of August, I believe, that the French said that they were ready to go into it; the treaty ought to have been signed by the 1st of October.

1940. That was the real motive for giving those exceptional powers to the Commissioners in Paris, to enable them to correspond with the Board of Trade, and thereby to save time?—Yes; we were pressed for time.

1941. Are not commercial men and the commercial community always pressed for time, and would not the same rule apply in all cases to them as applied in the case of the French Treaty. You would economise their time and labour by allowing them to be brought into more direct communication with the foreign Ministers through the Board of Trade?—But then, unless you threw the whole Board of Trade into the Foreign Office, or the Foreign Office into the Board of Trade, you would not obviate the necessity of going to both. It is perfectly impossible, if you have two offices, to say, You shall act so far in one office and so far in another. You must do the whole business of the same kind in one office.

1942. *Chairman.*] I understood you to say just now you thought that, in order for the Board of Trade to correspond with the consuls, they would have to have the power of a Secretary of State. If that be necessary, how comes it that the Board of Trade at present correspond with the consuls upon questions respecting the mercantile marine?—I am not quite sure whether it is not under a special Act of Parliament; there is the Mercantile Marine Act, by which a great number of things were put under the Board of Trade. I know the arrangement was the result of that Act, for the Board of Trade sent a long commentary upon the Mercantile Marine Act to our consuls.

1943. Mr. *Layard.*] Practically, the only advantage gained if our consuls were to correspond directly with the Board of Trade and not with the Foreign Office, would be that there would be a few hours saved, would it not?—There would be a little time saved certainly, but nothing to speak of.

1944. The difference would be between the Board of Trade receiving them by one post, perhaps, over night, and our sending them next morning to the Board of Trade, the Board of Trade would receive them four or five hours sooner?—Yes.

1945. And all the disadvantages and risks you describe would be incurred merely to save four or five hours?—Yes.

1946. Mr. *Seymour Fitzgerald.*] Is it your opinion that if a consular agent abroad was corresponding directly with the Board of Trade, instead of the Political Department, that is to say, the Foreign Office, he would not be likely to show greater zeal in, and attend more completely to, commercial matters than he does at the present time?—That is not my opinion.

1947. Sir *Minto Farquhar.*] All the diplomatic agents abroad have their appointments from the Minister of State for Foreign Affairs, sanctioned by the Queen, have they not?—Yes, and the consuls also; the Queen's pleasure is taken about the consuls in the same manner as about the diplomatic agents.

1948. Do you not think that if the Board of Trade were allowed to correspond directly with those different Ministers, and did not communicate previously to the Foreign Office, some inconvenience might arise from the Foreign Office not knowing what were the communications

tions made to those Ministers by the Board of Trade?—Certainly; we ought to know everything that our agents abroad do.

1949. Supposing the Board of Trade to have communicated with any of those Ministers, and not to be satisfied with the conduct of that particular matter of trade upon which they had communicated with them, would not the Minister be subject to a reprimand from the Board of Trade without the knowledge of the Foreign Office?—Yes; and the Foreign Office might not, perhaps, have concurred in the propriety of the reprimand, if they had known it.

1950. In fact, those gentlemen might be perplexed by the orders which they might receive from two different directions?—Yes; that is just the point which I spoke of when I referred to the inconvenience of serving two masters. You might have contradictory instructions issued, and the consuls would not know which to obey.

1951. Gentlemen connected with the Chambers of Commerce are decidedly under the impression that at present great delay arises from having to communicate with two officers; are you not of opinion, as far as your judgment goes, that that fear is exaggerated?—Yes. I judge from what I have seen of the evidence taken before the Committee, that they have that impression; but it is a groundless impression, and, as far as the Foreign Office is concerned, there is no further delay occurring than what is necessary to assure ourselves of the propriety of acting upon any representation which may be sent to us from the Board of Trade. A rule which I have always tried to impress upon the clerks, is to have their boxes clear on the Saturday night, if possible. It was the rule which I adopted when I was a clerk in the office; my box used to be clear on the Saturday night; and I have always told the clerks to follow that practice, if they can. It constantly happens in the Foreign Office that a paper arrives at three or four o'clock in the afternoon, and it is out of the Foreign Office and disposed of in half-an-hour.

Veneris, 17° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.
Mr. S. Beaumont.
Mr. Cobden.
Sir M. Farquhar.
Mr. S. Fitzgerald.
Mr. W. E. Forster.
Mr. M. Gibson.
Mr. Gregory.
Mr. Kinnaird.
Mr. Layard.
Sir S. Northcote.
Mr. Pender.
Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

JAMES BOOTH, Esq., called in; and Examined.

J. Booth, Esq.
17 June 1864.

1952. *Chairman.*] YOU are the Chief Secretary, I believe, to the Board of Trade?—I am the Senior Secretary to the Board of Trade.

1953. How long have you been there?—About fourteen years.

1954. Were you in the Board of Trade before you became secretary?—No; I was Counsel to the Speaker down to the time when I became secretary.

1955. Then your first connection with the Board of Trade was on your being appointed secretary?—Yes, in the year 1850.

1956. Were you the senior secretary when you were first appointed?—I was the junior secretary, Mr. Porter was then the senior secretary.

1957. On becoming senior secretary did your business at the Board of Trade change, or was it merely that you became senior secretary from the fact that the other secretary was appointed after you?—Simply from that fact.

1958. Will you be good enough to inform the Committee, first, with regard to the Board of Trade itself, what is the relation in which the President stands to the Vice-President?—The Vice-President of the Board of Trade has, strictly, no duties as Vice-President. By arrangement between himself and the President, he assists the President in the discharge of his duties; the Vice-President also usually takes, without salary, the office of Paymaster of the Forces. The Committee are perhaps aware that there is, in practice, no such thing as a Board of Trade or a Committee of Council for Trade and Foreign Plantations. At the commencement of each reign an Order in Council is passed, constituting the Committee for the consideration of all matters relating to Trade and Foreign Plantations, and naming certain high functionaries in Church and State as the members constituting that Committee: the Archbishop of Canterbury, the Lord Chancellor, the First Lord of the Treasury, all the Secretaries of State, the Chancellor of the Exchequer, and some others. Then two individuals are also named, one of whom is to be the President of this Committee, and in his absence the other.

1959. Does the Committee ever meet, in point of fact?—It never meets; it is entirely a fiction; and by the same fiction that there is a Committee for Trade, the President is never absent; therefore the duties of the Vice-President, strictly speaking, never arise.

1960. Am I to understand that there is no special function given to the Vice-President as distinguished from the President of the Board of Trade?—Not any; by arrangement between them it is settled what duties shall be discharged by the one, and what by the other.

1961. The relation in which they stand is, I suppose, this, that the Vice-President acts as President in case of the absence or illness of the President, and that, in case of their being in different Houses of Parliament, the Board of Trade is represented by each of them in the House in which he is?—That is so.

1962. Will you tell the Committee generally what are, at present, the functions of the Board of Trade?—The functions of the Board of Trade are of a very multifarious character, the greater part of them being duties assigned to them by various Acts of Parliament; the two main branches of those duties being connected with the supervision of Railways and the supervision of what we compendiously call the Marine Department, which is a very extensive department, embracing, perhaps, one-half of the work of the Board of Trade; in addition to that there are duties of a minor character assigned by other Acts of Parliament.

1963. I presume that I am right in supposing that now the main business of the Board of Trade is administrative rather than consultative?—I think so.

1964. Will you shortly enumerate the different administrative functions of the Board of Trade?—In the Railway Department, among our duties, are the inspection of all new lines of railway before they are allowed to be opened for passenger traffic; the approval of bye-laws for the working of the railway, and the approval of the arrangements for cheap trains; the inquiry into all accidents attended with serious damage; the regulation of level-crossings; the approval of deviations from authorised works; the appointment of arbitrators and the settlement of disputes, with respect to various matters referred to them by the Local Acts. Incident to this branch of their duties, the Houses of Parliament call for a report from this department upon all Railway

way Bills; this is a duty of a very onerous character. In the Mercantile Marine, the following are among the executive duties of the Board of Trade: the exercise of what was formerly the Admiralty jurisdiction for the protection of tidal waters; the preparation of provisional orders relating to piers and harbours; the same relating to pilots; the issuing of pilotage certificates to masters and mates, and the consideration of changes in pilotage districts; the consideration of bye-laws of the pilotage authoties, and the consideration of applications to the Public Works Loan Commissioners for loans for the improvement of harbours and docks, and the preparation of reports to Parliament upon all Bills relating to harbours, docks, piers, and of the works affecting tidal waters. There is also the control of the three great departments for the construction and regulation of lights and beacons, namely, the Trinity House, the Dublin Ballast Board, and the Northern Lights Commissioners; the giving of assistance in constructing lighthouses in the Colonies, and in foreign countries; the superintendence of the Vote for the relief of British subjects abroad; the collection and distribution of the wages and effects of deceased seamen; the administration of the Merchant Seamen's Fund Winding-up Act; the collection and distribution of wreck on the coasts of the United Kingdom; the superintendence of the investigations into collisions and accidents at sea; and of inquiries by Local Marine Boards, and by Naval Courts abroad, into the misconduct of the masters and mates of vessels; the superintendence of lifeboats and mortar apparatus round the coasts of the kingdom; the consideration of the granting of rewards for saving life on the coast of the United Kingdom; rewards for services rendered by foreigners to British ships and seamen; the organization and superintendence of the Naval Reserve, assisting the Admiralty in that respect.

1965. That is to say, so far as it affects merchant sailors?—Yes; it is a very large branch of duty. In the discharge of this duty we derive much assistance from the office of the Registrar General of Seamen, a large office under the Marine Department of the Board of Trade, with duties of a very extensive character. They are more especially concerned in the collection and record of information relating to the Mercantile Marine. We have also the management of certain harbours, Ramsgate, Holyhead, and Portpatrick. I think that I have now enumerated most of the duties in the Marine Department of the Board of Trade, except the Meteorologic Office, which is also considered a branch of the Marine Department.

1966. What is the next administrative duty?—The next that I would mention is the superintendence of the Office for the Registration of Joint Stock Companies, and various duties imposed upon us by the Companies' Act of 1862; and the superintendence of the Office for the Registration of Designs. We discharge duties also under the Metropolitan Waterworks Act of 1852, under the Telegraphs Act, and under the Alkali Works Act. We have duties also under the Act for the Legalization of Art-Unions, and under the Fisheries Convention Act. We have also to advise the Crown concerning the grant of Royal charters.

1967. Are you not now getting into your consultative functions?—I think these may be considered administrative functions. If we advise the Crown as to whether a charter should or should not be granted, and settle its terms, it is very much in the nature of an executive duty on the part of the Board of Trade. I was about to mention one that might be called a consultative duty. The Colonial Office is in the habit of referring for our consideration Colonial Acts relating to trade and to matters relating to shipping, asking us the question whether we see any reason why the Act should not receive the confirmation of the Crown.

1968. Was not there a Committee of the Board of Trade for that object, perhaps with still greater power of interference than is now possessed by the Board of Trade, appointed some time ago but no longer in existence?—The Board of Trade is called "The Committee for the consideration of all matters relating to Trade and Foreign Plantations." Formerly the Colonies were under the Board of Trade, and, until a very recent period, all the Acts of the Colonial Authorities requiring the confirmation of the Queen in Council were referred to the Board of Trade, and became the subject of Minutes of the President of the Board of Trade. That has now ceased to be the case, and the Colonial Office merely refers to the Board of Trade certain of the Colonial Acts relating to matters of trade, asking their opinion as to whether there is any reason why they should not receive the sanction of the Crown.

1969. Was not there, a few years ago, a function given to the Board of Trade with regard to the Colonies that is not now in existence?—It was not a function recently given: it was a practice that Colonial Acts should, in form, be confirmed by a Minute of the President of the Board of Trade; a remnant, I suppose, of the old system of matters relating to Foreign Plantations being referred to the Board of Trade.

1970. Is that confirmation now necessary?—No; it does not now take place. I think what I have stated nearly exhausts the list of our functions; we have also had the preparation of legislative measures connected with those various subjects which, during the last 15 years, have been of a very extensive and laborious character. The Board of Trade is also expected to originate or to watch over all legislative measures connected with trade or affecting commercial interests, except questions of customs or excise, and questions relating to banking and currency, which are undertaken by the Treasury.

1971. Is it a new thing that that exception is made with the Treasury, or has it been the case for some time?—In former times matters relating to customs and excise were much more commonly referred for the consideration of the Board of Trade than they are at present. Now the practice is, so far as it comes under my cognisance, for the Treasury to take upon itself to determine all questions relating to customs and excise legislation, and also to banking and currency.

1972. Which of those different matters that come under the superintendence of the Board of Trade are referred to you as one of the two secretaries?—In the first place, the whole of the Railway Department is immediately under my care, and in the Commercial or General Department matters relating to Companies. Colonial Acts and charters are also referred to me, and all questions not included in the several divisions of the office. For the Marine Department, there is a special secretary, Mr. Farrer, who, conjointly with myself, discharges the duties of that depart-

J. Booth, Esq.

17 June 1864.

ment; the rest of the office is undertaken by Sir Emerson Tennent.

1973. When you speak of Mr. Farrer as acting conjointly with yourself, as you are his senior I suppose you may say that it is under you?—Yes, it is under me, although he acts with independent authority when he sees no difficulty in dealing with the question referred to him.

1974. And the rest of the business goes to the other secretary, including, I suppose, all that may be called the consultative business of the Board of Trade?—I am not sure whether I understand what is meant by the phrase "consultative business."

1975. Including all that part of the business of the Board of Trade which consists in their giving commercial information to other departments of Government?—Yes. I omitted, in the enumeration of the duties of the Board of Trade, one rather important branch, the Statistical Department, which is a department for the collection and publication of statistics relating to trade and to foreign tariffs. That is a branch which may be considered rather of a consultative character; that is to say, it collects information which puts it in a condition to be able at least to give information to other departments of Government, such as the Treasury or the Foreign Office.

1976. That is rather a depository of information, is it not?—It is a depository of information.

1977. Is that under your side of the Board of Trade, or Sir Emerson Tennent's side?—It is under what is considered the commercial side.

1978. Then the particular subject of our reference, namely, the relation between the Foreign Office and the Board of Trade, does not come under you so much as under Sir Emerson Tennent?—No.

1979. I suppose that in the absence or illness of the other Secretary you take his place, do you not?—I do.

1980. Would you be kind enough to tell the Committee how communications between yourself and the other Secretary, in case you wish to interchange information, are carried on?—By personal communication between us.

1981. In going over the various duties which the Board of Trade had to perform, I do not think you mentioned the communication of the Board of Trade with the consuls?—No; I did not mention the consuls, but I mentioned two subjects, in which we derive material assistance from the consuls abroad; the one is the administration or distribution of the vote for the relief of distressed British subjects abroad. The relief is administered by the consuls, under instructions from the Board of Trade, and they keep an account of all the expenditure, and repay themselves by drawing a bill upon the accountant to the Board of Trade.

1982. That, I suppose, comes under Mr. Farrer's immediate superintendence, with reference to you in case of need?—That is so; it is more immediately under the accountant to the Board of Trade.

1983. Can you tell the Committee how that correspondence is carried on; does it go direct to the consuls, or does it go from you to the Foreign Office for them to communicate to the consuls, or does it go under what may be called flying seal from you through the Foreign Office to the consuls?—It goes generally direct from us to the consul; the consul is recognised in the Merchant Shipping Act as our officer, for the discharge of duties of that nature. It very often happens, however, that in a case of this kind, viz., where assistance is rendered to a British ship, or to British seamen in distress by a foreign vessel, the consul, instead of writing particulars of the services so rendered directly to us, sends them to the Foreign Office, and they come through the Foreign Office to us. It would be more convenient in those cases, if the consuls always communicated directly with the Board of Trade.

1984. It was suggested in Mr. Hammond's examination on the last sitting of the Committee, that there would be a difficulty in the Board of Trade communicating direct with the consuls, because they are the representatives of the Crown in foreign countries, and therefore, in order that you should communicate, it would be necessary to turn your department into a Secretaryship of State; how is that difficulty got over in your present communication with the consuls?—I was not aware of the existence of any such difficulty. We have for the last 10 years been in the habit of corresponding directly with the consuls, and no case of difficulty has occurred, except in one or two instances where a consul has appealed from interference of ours to the Foreign Office.

1985. I think I understood you to say that there was a special Act of Parliament which put you in communication with the consuls upon this matter?—That is so.

1986. Have you got that Act with you?—No; I have not got the Act here; I can refer to one or two sections in the Act, in which those duties are recognised. The Act is the Merchant Shipping Act of 1854; the 17th and 18th Victoria, chapter 104. Under section 12, the consul is to send to the Board of Trade such returns or reports upon any matter relating to British merchant shipping or seamen as the Board of Trade requires. Then under 210, he is to account to the Board of Trade for monies received by him for seamen's wages. The consul is employed by us in the collection of the wages and effects of seamen who die abroad.

1987. A question was asked by the Right Honourable Member for Oxfordshire, on the last sitting of the Committee, in which he stated that the consuls in the first place being subordinate to the ambassadors or ministers, and the diplomatic agents being the representatives of the Crown, the Constitution required that the communications from the Government at home to the diplomatic agents, should purport to be communications from the Crown. He also stated that your office, not being a Secretary of State's office, he did not see how communications could be made by you in the form of communications from the Crown; do you imagine that the difficulty is met in this particular case by a special Act of Parliament, and if it was not for that special Act of Parliament there would be a difficulty, or that it would be impossible to do it?—It is undoubtedly met by an Act of Parliament in the present instance; but I see no difficulty whatever in the Foreign Office, whose officers the consuls are, authorising them to communicate directly with the Board of Trade upon matters relating to trade.

1988. Do you find any practical evil arise from the consuls being in communication with your

your office rather than the Foreign Office upon those matters; is there any danger of any collision between the directions which the consuls receive from the Foreign Office upon other matters, and those which they receive from you upon those matter of which you have the superintendence?—None, whatever. I think that the duties that the consuls perform towards the Foreign Office and towards ourselves, do not at all clash the one with the other.

1989. No case has occurred within your knowledge in which there has been any collision?—Not any.

1990. Are you aware that there is a good deal of feeling amongst mercantile men throughout the country, that there would be an advantage in having to deal directly upon foreign commercial subjects with the office which has to conduct the negotiations?—I have heard that there is such a feeling.

1991. I suppose you have read the evidence that has been given to the Committee?—I have read a good deal of it.

1992. You are aware, I suppose, that a suggestion has been made that there should be a commercial department in the Foreign Office?—Yes.

1993. And that the existence of that commercial department in the Foreign Office should render it unnecessary for the Foreign Office to consult the Board of Trade upon any commercial matters?—I understand that there has been a suggestion to that effect.

1994. The objection has been made to such suggestion that any commercial department in the Foreign Office would not be, generally speaking, so well informed upon trade as it at present is in the Board of Trade. In what respect do you consider that that department of the Board of Trade, which gives advice to the Foreign Office upon commercial matters, is informed upon trade by other departments within the Board of Trade itself?—I cannot answer that question so well as Sir Emerson Tennent can. In the exercise of the duties which are imposed upon the Board of Trade it necessarily acquires a great deal of information, and becomes in a position to be able to advise other departments upon matters akin to those which come under the consideration of the Board of Trade in the discharge of their duties.

1995. Do you consider that there is any information obtained in that particular branch of the Board of Trade, which comes within your own cognizance, which would be of especial use to such a department as I have been alluding to, either in the railway branch or in that branch which comes under the charge of Mr. Farrer and yourself?—I am not aware that there is, but unless I know the question upon which it is supposed that the Foreign Office desires to inform itself, I can hardly answer the question.

1996. With regard to this suggestion which has been made, that there should be a commercial department in the Foreign Office, or rather that there should be a transfer of the Foreign Commercial Department from the Board of Trade to the Foreign Office, have you any opinion to give respecting it?—I think, so far as the functions of the Board of Trade are purely consultative, such a transfer might perhaps be made. I am not aware that the President of the Board of Trade, in the exercise of the general functions which he has to discharge, is put in a position to form a better opinion upon questions of the nature referred to, coming under the consideration of the Foreign Office, than the Secretary of State for Foreign Affairs would, himself, be able to form.

1997. Am I to understand that, by that answer, you mean to say that, so far as your experience goes, you do not think that there would be any disadvantage in such a transfer?—I do not see any disadvantage in it, or any difficulty, and it would have the advantage of enabling the Foreign Office to conduct its ordinary correspondence, when foreign tariffs or restrictions on foreign trade were complained of, without referring such matters to the Board of Trade.

1998. Although you are not generally the secretary who has that part of the business to conduct, I suppose, during the long time that you have been in the Board of Trade, you have very frequently had to do it in the absence of the other Secretary?—I have.

1999. I think you stated that each of these three Departments, the Colonial Office, the India Office, and the Treasury consult the Board of Trade; but, I think, you also stated that that consultation would go through Sir Emerson Tennent rather than through you?—I have not stated that the India Office or the Treasury consult the Board of Trade. We have a good deal of correspondence with the India Office in matters connected with our Marine Department, but it is not what I should call of a consultative character.

2000. Is that rather a correspondence between two administrative offices upon questions in which their administration may be said to intersect one another, than a correspondence of one office with another, asking for information?— That is so.

2001. But, supposing that the Treasury wishes for an opinion as to how far any measure, with regard to customs, would affect trade, would they not ask for the information from the Board of Trade?—They might do so.

2002. But they are not much in the habit of doing so, are they?—I can hardly answer that question, because those letters would not necessarily come under my consideration.

2003. Can you answer this question; supposing the Foreign Commercial Department of the Board of Trade was transferred to the Foreign Office, would there still remain so many occasions upon which other officers would have to consult the Board of Trade, that the Board of Trade would still be, more than almost any other department of Government, a consultative department?—I am not aware that that would be so. We should no doubt still be consulted in those matters on which we had special information.

2004. Another suggestion, too, has been made in the course of this examination, that the Board of Trade should be put in communication with foreign ministers and consuls upon matters affecting trade; what is your opinion with regard to that?—I should think there might be inconvenience attending such an arrangement, if it extend to foreign ministers.

2005. What inconvenience do you apprehend?—I think that the correspondence with foreign nations should be conducted by one department only.

2006. Do you think that there is, or is not, an advantage in all matters with regard to trade being under a special department like the Board of

J. Booth, Esq.

17 June 1864.

of Trade, and thereby giving the protection, I may say, to the trading interests, which would follow from one department having for its special business to look after that?—I think there is a certain convenience in some one department of the State undertaking a general superintendence of trade in order that parties may know to whom to address their complaints, if they have any to make, or whom to look to for the improvement of the legislation relating to commerce.

2007. Am I to gather from your answer, that you are, or are not, of opinion that it is advisable that the Board of Trade should remain a consultative office for other departments upon commercial matters?—I think upon all matters upon which the exercise of our especial functions enables us to give good information, and possibly advice, it is desirable that we should be consulted, just as we consult other departments; we consult the Customs, the Admiralty, and the Home Office, upon matters under our consideration, upon which we think we can get a better opinion from them than we can form ourselves; but I question the advantage of keeping up a merely consultative department.

2008. Is not there this difference that, whereas you, in performing your administrative duties, would consult any other department upon any question upon which you wished to obtain information, you are at present consulted by other departments previous to any administration, for advice and counsel, as to how measures should be undertaken?—I do not see the difference, but so little of those matters comes under my own consideration that I feel some difficulty in answering the question.

2009. Mr. *Seymour Fitzgerald.*] You stated with reference to the consuls, that in some instances there had been cases where consuls had appealed from a decision of the Board of Trade to the Foreign Office?—I have so stated.

2010. Upon what subjects have those appeals been made to the Foreign Office?—One that I had particularly in my mind was a case where a seaman had lodged a sum of money with a consul in one of the French ports, and this money had been purloined by a clerk in the office of that consul, and the consul was displeased at the mode in which we made inquiry as to what had become of that money, and wrote to complain to the Foreign Office.

2011. Considering himself a servant of the Foreign Office, and not the servant of the Board of Trade?—Exactly so.

2012. He objected to the way in which you made inquiry as to that particular circumstance?—Precisely so; he probably thought we intended to make him responsible.

2013. You have been asked a question with reference to the transfer of the foreign commercial department of the Board of Trade to the Foreign Office?—We have, strictly speaking, no foreign commercial department at the Board of Trade.

2014. The phrase was used in a question to which you replied. When that question was asked you, what did you understand by the term "foreign commercial department"?—I am afraid I answered inconsiderately. I must have meant one or more of our clerks especially conversant with questions relating to foreign trade.

2015. *Chairman.*] What I meant to ask you was this: do you think that there would be a disadvantage in those officials of the Board of Trade who obtain information, which they communicate to the Foreign Office, upon matters connected with commerce, being in the Foreign Office rather than in the Board of Trade?—I see no inconvenience in it.

2016. Mr. *Seymour Fitzgerald.*] Are there not a great many questions with which the Foreign Office has to deal with reference to foreign tariffs and the interests of English trade in various branches, which they could not efficiently deal with without at the same time having in their hands a collection of statistics and other matters of that kind, with reference to English trade, which are now collected by the Board of Trade?—I should assume that all the information in our statistical office would be open to the use of the Foreign Office, or to the use of a commercial department in the Foreign Office, as it is to the commercial department in the Board of Trade.

2017. Then, in such a case, there would be the same necessity of reference, from this new department that would be created in the Foreign Office, to the Board of Trade, for statistical information, or information affecting trade at home that exists now?—It would be of a different kind; the communication with the statistical department would then be made by an officer in the Foreign Office, as it is now made by an officer in the Board of Trade; and instead of informing the President of the Board of Trade, in order that he may answer the question of the Foreign Office, the officer would convey his information to the head of the Foreign Office, with a view to his dealing directly with any question under his consideration.

2018. *Chairman.*] Is it not the case, that the Statistical Department is in a different building from the Board of Trade, and that although nominally under the Board of Trade, it is a department in itself?—It is so in practice.

2019. Mr. *Seymour Fitzgerald.*] Would not then this new department, which would be created in the Foreign Office, be in such a position that it would require to have all the information, both with reference to foreign tariffs and to the condition of English trade; in fact, all the information affecting English trade at home that is now collected by the Board of Trade?—I presume that the Statistical Department would remain as it is at present; the officer, assuming that there is one, at the Foreign Office, to assist the Foreign Secretary upon questions of this nature, would obtain his information from the Statistical Office, precisely as he does at present; but instead of conveying it to to the President of the Board of Trade, to be sent through him to the Foreign Office, he would communicate it direct to the head of the Foreign Office.

2020. Do you apprehend that all the commercial men in England, who required information as regards foreign tariffs or arrangements in foreign countries affecting English trade, would apply to the Board of Trade or to the Foreign Office?—They would apply probably to the Statistical Department. If they applied to either the Board of Trade or the Foreign Office, they would be referred to the Statistical Department for information, or the information would be obtained from the Statistical Office and sent to them.

2021. Mr *Layard.*] To what Statistical Department do you mean to say that they would be referred?—To the Statistical Department which

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at present is nominally under the Board of Trade.

2022. Mr. *Seymour Fitzgerald.*] Is this new department, which you consider might be formed with advantage in the Foreign Office, merely to be a department for the purpose of conducting negotiations?—For the purpose of collecting the information which the Foreign Secretary requires, in order to enable him to conduct negotiations, and also to deal with the various questions from time to time brought under his notice by the trading community, relating to foreign trade.

2023. That would be information with reference to the condition of trade at home, would it not?—No, not at all necessarily with reference to that; rather with reference to foreign tariffs and restrictions on trade in foreign countries.

2024. Would it not be requisite for the foreign secretary, and is it not now daily necessary for the foreign seretary, in conducting negotiations with reference to foreign tariffs, to obtain from you the most precise information as to the condition of the various trades which would be affected by an alteration in those tariffs?—He could not obtain from us any information that he could not obtain through the officer whom I am supposing, by his applying to the Statistical Department.

2025. Then it will still be necessary for the Foreign Office, even in case such a commercial department is formed within it, to have reference to the Statistical Department of the Board of Trade, in order to enable that Department satisfactorily to perform its functions?—Clearly.

2026. You stated that in reference to the Mercantile Marine Act, you could not say that there had been any collision of authority between the Board of Trade and the Foreign Office, as far as you know?—Yes.

2027. If the Consuls and Ministers abroad communicated directly with the Board of Trade, with a view of giving every information affecting trade, do you see any reason why in such a case, there should be any danger of collision any more than in the case of the Mercantile Marine Act?—I see no such danger.

2028. You see no danger, as far as that is concerned, in establishing communications between Ministers abroad and the Board of Trade?—In establishing communication between Consuls abroad and the Board of Trade, with a view to the collection of commercial information, I can see no difficulty or danger.

2029. I do not apply my question to a case of negotiation, but in the case of information either to be given by a Minister abroad to the Board of Trade, or by the Board of Trade to a Minister, can you see any objection in having direct communication between the Ministers and the Board of Trade?—None whatever, if it is simply with a view to the collection of information.

2030. In the case of a negotiation going on with reference to the modification of a foreign tariff, do you see any reason why there should not be direct communication between the Board of Trade and the minister, with the view of giving the fullest information to that minister, and the earliest information to that minister, to enable him satisfactorily to conduct his negotiations?—I see no objection to that at all.

2031. Then your objection to direct communication between ministers abroad and the Board of Trade is limited solely to considerations as to the propriety of initiating a negotiation, or as to the particular method and mode in which it is to be carried on?—I fear my former answer has been misunderstood. What I objected to was, the Board of Trade communicating with a foreign minister, not our own minister abroad, but with the minister of a foreign power; I said that ought to be conducted through the Foreign Office.

2032. You do not, then, see any objection to the establishment of a direct communication between the Board of Trade and our agents abroad, whether consular or diplomatic, with a view of giving and receiving information upon all subjects affecting English commerce?—I see no objection whatever.

2033. Mr. *Bazley.*] Do you publish annually reports addressed to the House of Commons, of the whole of the transactions of the Board of Trade?—No, we are not in the habit of publishing reports.

2034. Could not there be annually published a resumé of the state of our foreign commercial relations, as to the negotiations for new treaties and for the extension of commerce?—Such a report might, no doubt, be prepared if it were thought useful to do so.

2035. The labours of the officers of the Board of Trade are very great during the year; would it not be very useful to the community at large to have a brief historical record of all the transactions that have occurred in all the departments of the Board of Trade?—I am not sure that there would be any advantage that would at all correspond with the trouble and expense of such a report.

2036. Sir *Stafford Northcote.*] In what year was it that you became connected with the Board of Trade?—In the year 1850.

2037. At that time a very considerable proportion of the reforms which have lately been made in our tariff and in our system of navigation laws had been completed, had they not?—That is so; in the case of the navigation laws especially.

2038. Is it within your knowledge, from what you have seen of the records of the department, and from what you have observed in your early years of connexion with it, that the business of the Board of Trade proper, as distinguished from those departments which have of late years been added to it, has been materially diminished?—Very materially.

2039. At the time when the Navigation Acts were in force, was not it the case that continual references were made to the Board of Trade upon questions as to whether certain voyages were legal or illegal, and whether certain transactions were fraudulent or proper?—I understand that that was the case very much.

2040. Is it within your knowledge that it was frequently necessary for the Board of Trade to consult with other departments for the preparation of clauses in Acts of Parliament to meet particular difficulties which arose; all those are now, I suppose, very nearly at an end?—That is almost at an end.

2041. The great reduction in the number of articles in the tariff must also necessarily have caused a great diminution in that part of the business of the Board of Trade, which related to the condition of the home trade, has it not?—That is so.

2042. I suppose there are now very few letters to the Board of Trade from persons in this country,

J. Booth, Esq.
17 June 1864.

complaining of the rates of duty, and requesting that steps should be taken to alter them?—I think communications of that kind are now comparatively rare; but they do not come immediately under my own cognizance.

2043. With regard to the Colonial Acts generally, have they been brought under the notice of the Board of Trade since you have been connected with it?—Yes; when I first became connected with the Board of Trade, it was the practice for each Colonial Act to be confirmed upon a Minute of the President of the Board of Trade.

2044. That was the case with every Colonial Act?—Every Colonial Act.

2045. Were they examined in detail by the Board of Trade at that time?—Yes, to some extent.

2046. What is the arragement with regard to them now. Colonial Acts are not sent to the Board of Trade now, are they?—Colonial Acts relating to trade or navigation are commonly sent with a request that the Colonial Secretary may be informed whether there is any objection to their being confirmed.

2047. By whom are other Colonial Acts examined?—Some are sent to the Treasury, and, I presume, some to the Home Office; but I am not sure about that.

2048. Are you aware that a great many are now passed by the Colonial Land and Emigration Commissioners?—I am not aware what share the Emigration Commissioners take in the consideration of Colonial Acts.

2049. Was there any formal withdrawal of the Colonial Acts, relating to general matters, from the cognizance of the Board of Trade?—I think it was done by a letter from the Colonial Office proposing the change.

2050. You do not remember the reason given for the withdrawal?—The President's Minute was deemed unnecessary; it was considered a superfluous multiplication of work.

2051. Are you at all aware whether complaints used to be made on the part of the Colonies that delay took place in consequence of those communications between the Colonial Office and the Board of Trade?—I am not aware of such complaints having been made.

2052. It is not now the practice, is it, to hold weekly or semi-weekly Boards at the Board of Trade?—It is not the practice.

2053. Has it ever, since you have been connected with the office, been the practice to hold Boards?—No; there is in fact no Board of Trade in practice, as I have already explained.

2054. Is it within your knowledge that it was formerly the practice of the President and Vice-President of the Board of Trade and the Joint Secretaries of the Board of Trade, to hold a Board twice, or oftener, in the week, and there pass all the papers that came before the Board?—I have heard of such a practice; it would be quite impossible to get through the work if we were to adopt a practice similar to that at present.

2055. At the time that that practice existed, it would be the case, would it not, that all the officers of the Board of Trade would be generally cognizant of all the information that came before the Board of Trade; that is to say, it would all pass before them at the Board, and each person would get a general knowledge of what was going on in each department?—Supposing they were discussed at the Board, that would be the case.

2056. That is not at all the case now; and, therefore, as I understand, business may be brought before one department without the other department knowing anything about it?—That is so.

2057. It must frequently happen in the conduct of commercial negotiations, that information is wanted from the Mercantile Marine Department of the Board of Trade; in such a case how is that information applied for?—The convenient practice would be to refer any papers of that kind to the Secretary, or the Assistant-Secretary of the Marine Department for his consideration.

2058. Is that frequently done?—Yes.

2059. Is the Secretary, or the Assistant-Secretary for the Marine Department, thereby made cognisant of all the proceedings that are taking place with reference to the negotiations in connection with which that information is sought?—It would be necessary, in order to write his Minute upon the paper, that he should inform himself, to some extent, of the previous proceedings.

2060. Of the previous proceedings connected with that particular part of the subject, but not of all the proceedings connected with the negotiation, I suppose?—No; of so much as would enable him to answer the question that was raised in the paper under consideration.

2061. Supposing that a commercial treaty was being negotiated, which involved questions of tariff, and also questions of dues upon shipping, the questions would be referred to the Mercantile Marine Department as to the dues upon shipping without requiring that department to look at all into the questions of tariff reforms?—Yes, that might be so, or it might be referred generally to each of the secretaries to see what he had to say upon the whole subject.

2062. Which would be the usual practice; would it be the usual practice to send him the whole of the correspondence connected with the negotiations, or only so much as bore upon a particular point?—The more usual practice would be to call his attention to the matter connected with his own department, and request him to read it and offer suggestions upon it.

2063. Supposing that the Foreign Office communicates now to the Board of Trade a correspondence with regard to a particular treaty, that correspondence goes to the Secretary for the commercial side of the Board of Trade, does it not?—In the first instance it would go to him.

2064. If he finds that it is necessary that he should have some information from the Mercantile Marine Department, what course does he pursue?—If it were entirely connected with the Marine Department, he would refer it to the other Secretary in order that he might answer the question to the Foreign Office.

2065. If it were a mixed question, partly referring to that and partly referring to other questions, what would he do?—I think he would desire the Marine Secretary to make a Minute upon that part which related to his own department, and he would then, himself, embody the whole of the information in his reply to the Foreign Office.

2066. Supposing that the department which now sits at the Board of Trade, and is called the Commercial Department there, were transferred to the Foreign Office, would there be any more

difficulty

difficulty in the Foreign Office putting those questions or making those references to the Marine Department of the Board of Trade, than there is in the Secretary for the Commercial Department of the Board of Trade making these references?—No; the difference would be, that the Foreign Office letter would go direct to the Marine Department, instead of through the Commercial Secretary.

2067. Does not it amount to this, that there must, in all these negotiations be consultations, from time to time, between different offices, and that the only question is how much of the information it should be necessary for the Foreign Office to seek out of itself?—Exactly so.

2068. At present, in consequence of not having a distinctly organised commercial department, the Foreign Office is obliged to apply to the Board of Trade for a great deal more information than it would be if it had a distinctly organised commercial department, is it not?—That is so.

2069. Suppposing it had a distinctly organised commercial department, it would still be obliged, from time to time, to apply to the Board of Trade for information, but you do not see any difficulty in making such application?—I see no difficulty at all.

2070. Mr. *Seymour Fitzgerald.*] But the application for such information from the Foreign Office would, of course, be addressed to the Secretary of the Board of Trade, or to the President?—It would.

2071. In practice, how are such communications made; are they made to the President of the Board of Trade, or are they made to the Secretary?—They are very commonly made to the Secretary; but in matters connected with the Marine Department, it is usual to head the letter sent from the Marine Department with a request that letters in reply may be addressed to the Marine Secretary.

2072. Is the head of the Marine Department subordinate to you and Sir Emerson Tennent, or has he an independent position of his own?—He is, in some respects, co-ordinate. He was, formerly, the Assistant Secretary in the Marine Department. He is no longer called the Assistant Secretary, but the Marine Secretary, though no doubt it may be considered that his duties are discharged in subordination to the Senior Secretary.

2073. If he is subordinate to you, do you see no objection to having communications between one department of the State and a subordinate officer of another department?—The communication, supposing it made officially, would be addressed to the office, and would be referred to the Marine Secretary.

2074. Mr. *Layard.*] When a communication is addressed from the Foreign Office to the Secretary of the Board of Trade, it is not addressed to the Secretary as secretary, but to the Secretary as the organ of the President of the Board of Trade, is it not?—It is addressed to the Secretary, and, coming from the Foreign Office, it would ordinarily be referred to Sir Emerson Tennent, it being probable that the matter to which it relates is in his department.

2075. If we write to Sir Emerson Tennent or to yourself, we do not address Sir Emerson Tennent or Mr. Booth; but we address the President of the Board of Trade through Sir Emerson Tennent or yourself, do we not?—You address your letters to the Secretary, and desire him to bring certain matters under the consideration of the Lords of the Committee of Council for Trade.

2076. Therefore, the communication is not between the Foreign Office and Sir Emerson Tennent or yourself, but between the Foreign Office and the President direct, or through Sir Emerson Tennent and yourself?—Yes.

2077. *Chairman.*] In the published correspondence between the two offices, with regard to the Belgian and Italian treaties, in every case the letters are addressed in this way—"Mr. Layard to Sir Emerson Tennent," or "Sir Emerson Tennent to Mr. Layard." How are the letters actually addressed?—Indifferently; sometimes in the one way and sometimes in the other. The better mode of addressing is, "To the Secretary." The letter is opened in the registry room, and it is thence referred to the department to which it belongs.

2078. Sir *Stafford Northcote.*] Those are questions as to matters of form, but is not it the case that whatever may be the address of a letter, whether it is addressed to the secretary by his title, or to the secretary by name, or to the Lords of the Committee of Privy Council, every letter is opened and immediately handed over to the secretary of the proper department?—That is so.

2079. Therefore, if the Foreign Office in such a case as I have been supposing, were to desire information from the Secretary of the Mercantile Marine Department, it would not be necessary for them to address their letter specially to the Secretary of the Mercantile Marine Department, they might address it to the Lords of the Committee of Privy Council for Trade, and it would still be answered by the secretary for the proper Department, would it not?—It would.

2080. With regard to the Statistical Office, has there been any material alteration in the duties of the Statistical Office since you have been connected with the Board of Trade?—That department has very considerably increased since I have been at the Board of Trade.

2081. Do you know whether it has taken upon itself duties which were formally performed by other offices?—I am not aware that it has done so.

2082. Do you remember the proceedings of a Committee of inquiry of which you were a member, in the year 1854, which inquired into the condition of the Board of Trade?—I remember the Committee of 1853.

2083. Do you remember that in their report, attention was called to the position of the Statistical Department, and that it was suggested that steps should be taken to organise the collection and publication of the statistical information of all the different departments of the Government, and that it should be published upon a uniform plan, harmonised as far as possible, with the assistance of the Statistical Department of the Board of Trade; and that the idea that is sketched out in that report was, that there should be a Statistical Office, not necessarily connected particularly with the Board of Trade, but extending a general supervision over all the statistical information that comes into the hands of the Government?—There was a recommendation to that effect.

2084. Do not you think that it would be a very useful thing if such a plan could be carried into effect, and if the Statistical Department could be made, to a certain extent, an indepen-

J. Booth, Esq.

17 June 1864.

dent department, having communications with all the different departments in which statistical information is collected?—If its functions were to be extended in the way that you suggest, I think that it might be usefully made an independent department.

2085. If that were done, would it not be perfectly possible for the Commercial Department, supposing one were sitting at the Foreign Office, to communicate with the chief of that Statistical Department, and to get from him all the information that was required for the guidance of the Foreign Office in the conduct of its commercial business?—Undoubtedly, it might do so; that may be done as the Statistical Department is now constituted.

2086. Does it seem to you that there is any necessary connexion between the Statistical Department and the Board of Trade, more than between the Statistical Department and other departments of Government which have the collection of information?—No.

2087. It is only as a matter of convenience that it is attached to the Board of Trade; might it not just as well be attached to the Treasury, or to one of the Secretary of State's officers, or be made independent altogether?—It might be so.

2088. With regard to the information which is collected at the Board of Trade through the statistical officer, a good deal of it relates to foreign trade, does it not?—A good deal of it.

2089. How does the Board of Trade become possessed of that information?—Through the Foreign Office.

2090. Sir *Minto Farquhar.*] The object of this inquiry is more especially in reference to communications between the Foreign Office and the Board of Trade, and complaints have been made by the Chambers of Commerce that those communications are not so rapid as they ought to be; can you bring to mind any occasion when the Foreign Office has failed to take immediate action upon any communication from the Board of Trade?—Those are matters that do not come under my cognisance; I think the Committee would get much better information from Sir Emerson Tennent upon that point.

2091. Mr. *Layard.*] You have expressed an opinion with regard to the establishment in the Foreign Office of a Department for Trade; will you be good enough to explain exactly what you mean by a department for Trade in the Foreign Office?—I mean to say that the Foreign Office might be assisted by a gentleman in the position of an assistant-secretary or a chief clerk, who would perform at the Foreign Office very much the same functions that Mr. Mallet now performs at the Board of Trade.

2092. Do you mean that there should be a department for trade in the Foreign Office, with an under-secretary at its head?—I have not either expressed or formed an opinion as to the exact constitution of the department, if it is to be called a department, which is to assist the Foreign Secretary. I think that there might usefully be one or two officers whose business it would be to perform towards the head of the Foreign Office very much the same functions that Mr. Mallet now performs towards the President of the Board of Trade.

2093. Then you would have a permanent under-secretary, not a Parliamentary under-secretary?—A permanent under-secretary or chief clerk; an officer of such position that he would be entitled to communicate directly with the head of the Foreign Office.

2094. Would you have such a machinery in that department as would enable the Foreign Secretary to form an opinion in matters of trade, or to take action in questions of treaties of commerce or navigation without consulting the Board of Trade?—Yes.

2095. Then I presume that the Secretary of State would be responsible to Parliament for what action he took in such matters?—Exactly so.

2096. Therefore the Secretary of State for Foreign Affairs would be as responsible to Parliament for matters of foreign commerce and trade as he is now for matters connected with his political duties?—He would be responsible for communications with Foreign Governments on matters of trade.

2097. Are you at all aware of the business of the Foreign Office?—I am not at all intimately acquainted with the business of the Foreign Office.

2098. Do you think that any Secretary of State for Foreign Affairs could take upon himself to be responsible to Parliament for the details of commercial matters?—I think he ought to be responsible for forming a judgment upon such questions as would come under his consideration connected with commerce; and with such assistance as I have suggested, I think there would be no difficulty in his doing so.

2099. Do you think that an Under-Secretary of State in the Foreign Office, at the head of the Department for Trade, could have all the information that it would be necessary for such an officer to have in order to enable him to give an opinion of any worth, or any weight, to the Secretary of State?—Just as he can do it to the President of the Board of Trade he could do it to the Secretary of State.

2100. Therefore, you would have in the Foreign Office all that machinery which you now have in the Board of Trade, and which enables the Secretary there to give a competent and trustworthy opinion to the President of the Board of Trade?—The machinery which I have suggested has been such an officer as Mr. Mallet, with, perhaps, the assistance of one or two clerks; I have not contemplated more than that.

2101. Mr. Mallet now has access to, and is informed upon, all that passes in the Board of Trade?—Yes; he has the opportunity of being so informed.

2102. I understand you to say that in the case of your absence from illness, either Sir Emerson Tennent or Mr. Mallet are compelled to take your place?—Sir Emerson Tennent would take my place in the event of my absence from illness.

2103. Supposing that Sir Emerson Tennent were taken ill, or were absent from any other cause, would Mr. Mallet take your place?—Mr. Farrer would then be the person next in authority.

2104. What position does Mr. Mallet hold in the Board of Trade?—He is the assistant in the Commercial Department.

2105. I think you stated that we ought to have a gentleman in the Foreign Office in the position of Mr. Mallet?—Yes; that you might usefully have such an officer.

2106. I understand that Mr. Mallet is only the assistant-secretary, and that he is incompetent to take

take the leading part in the Board of Trade?—I have not stated that he is incompetent.

2107. I do not mean incompetent from want of knowledge; I mean from his position as assistant: if you and Sir Emerson Tennant were away, would Mr. Mallet be competent to take your duties or Sir Emerson Tennent's?—Many of my duties he would hardly be competent to undertake; those, for instance, in the Railway Department, and some of those in the Marine Department. What I have suggested is, that you should have an officer who would perform towards the Foreign Secretary the same functions as Mr. Mallet performs towards the President of the Board of Trade, and I have suggested that he should be in the position of assistant-secretary or of a chief clerk, but that he should, at all events, be in such a position as would entitle him to communicate directly with the Foreign Secretary.

2108. Do you know who at the Foreign Office communicate with the Foreign Secretary, the under-secretaries or the chief clerks?—I do not. I think it desirable that the officer I am speaking of should be in a position in which the rules of the office would admit of his communicating directly with the Foreign Secretary.

2109. The rules of the Foreign Office being that only the under-secretaries communicate with the Secretary of State, this commercial gentleman should therefore, according to your view, be an under-secretary?— Supposing that it were thought fit that he should be in the position of a chief clerk, it would then, in my view, be necessary that the Foreign Office should make a rule that he should be allowed to communicate with the Foreign Secretary.

2110. Will you be good enough to state to the Committee what you understand by questions of foreign trade or foreign commerce?—Commerce with foreign nations.

2111. Do you include under that denomination all those questions which arise with foreign nations connected with shipping dues, merchant seamen, harbour dues, lighthouse dues, and many other questions which are matters of discussion between the British Government and Foreign Governments?—Yes, I include those among questions relating to foreign trade.

2112. Then are you of opinion that this officer, who is to be at the head of this department, is to be in a position to give advice and information to the Secretary of State upon all questions relating to treaties of commerce, shipping dues, harbour dues, lighthouses, and, in fact, all matters that come under the general denomination of the commercial relations between England and foreign nations?—Upon many of these subjects he would, I think, be able to give the required information; upon some it would still be necessary to resort to the Board of Trade. I have said, or intended to say, in the course of my examination, that the Board of Trade, in the exercise of the duties imposed upon it, obtains information, and becomes in a position to be able to give valuable information to the Foreign Office, and to other departments, upon matters akin to those with which it is conversant, and that the Foreign Office may very usefully consult the Board of Trade with reference to those matters.

2113. Do you draw any distinction between the various questions connected with foreign commerce upon which this gentleman who is to be at the Foreign Office is to give information and advice to the Secretary of State?—I understood that the question had reference particularly to correspondence as to complaints concerning tariffs, and restrictions on foreign commerce, and the negotiation of treaties of commerce with foreign nations. Upon questions of this kind I think the Foreign Office ought to be able to conduct its own correspondence without previous reference to the Board of Trade, and with such assistance as has been suggested, I think it would be able to do so.

2114. Then you exclude all matters relating to navigation, shipping, harbour dues, and lighthouses, do you not, from this advice and information, which this new officer in the Foreign Office is to give to the Secretary of State?—By no means; I suggested that the new officer should give to the Secretary of State the kind of advice that Mr. Mallet now gives to the President of the Board of Trade.

2115. Does Mr. Mallet now give advice to the President of the Board of Trade upon questions of shipping dues, lighthouse dues, harbour dues, and all the other matters which come under the general denomination of "commercial relations with foreign countries"?—He does not deal with those questions, so far as they come under the executive duties of the Board of Trade, but he is very conversant with questions of this kind, and assists the President in considering any treaty questions relating to these matters.

2116. I understand that Mr. Mallet only gives information upon questions with regard to foreign treaties of commerce and tariffs?—That is a large part of his duties.

2117. What are the others?—You could more conveniently learn that from Mr. Mallet himself than from me.

2118. As regards questions relating to navigation, shipping dues, harbour dues, and other questions, the Foreign Office would still consult the Board of Trade?—It might be necessary for it to do so on some of these points occasionally; but for conducting such correspondence as has been referred to, it would in general, I think, not be necessary.

2119. You think that we ought to consult the Board of Trade upon those matters?—Yes, when necessary.

2120. Therefore you would not recommend that we should have a gentleman at the Foreign Office to give us information upon those points?—Not necessarily upon all; but such as would be required for conducting the ordinary correspondence of the office relating to foreign trade.

2121. Do not the larger number of questions with foreign nations relate to those very points, navigation laws, lighthouse dues, harbour dues, and the like?—A very considerable number do relate to subjects of that kind; and with reference to some of those subjects, the Foreign Office can usefully apply for information and, perhaps, advice to the Board of Trade.

2122. Why should not the same thing be done as regards commercial treaties and tariffs as regards those difficult and complicated questions?—Because they are of constant occurrence, and the functions of the Board of Trade do not give it any special knowledge with reference to those questions. The President of the Board of Trade has no more knowledge of those questions than the head of the Foreign Office.

2123. Are not questions of foreign trade intimately connected with questions of domestic trade?—I do not know that they are.

2124. Could a gentleman give an opinion upon a question

J. Booth, Esq.

17 June 1864.

a question of foreign trade without being acquainted with the state of trade in England?—It would depend upon what the question was.

2125. You say that the Board of Trade is the great depository of information; that was your expression, was it not?—I said that an office connected with the Board of Trade, namely, the Statistical Office, was charged with the collection of statistics relating to trade and foreign tariffs.

2126. The Statistical Office is under the Board of Trade, is it not?—It is.

2127. Therefore, it being under the Board of Trade (when I speak of the Board of Trade I include the Statistical Office), would you propose to put the Statistical Office under the Foreign Office?—I should place the information in the Statistical Office entirely at the disposal of the Foreign Office, and I should suppose that an officer such as has been suggested would communicate freely with the Statistical Office; in fact, as freely as he now does sitting in a room at the Board of Trade.

2128. What difference would there be between a gentleman sitting in a room at the Board of Trade, and the same gentleman sitting in a room at the Foreign Office, for the purpose of advising the Secretary of State, if he had to apply to the Statistical Office in either case?—The difference would be that it would not then be necessary for the Foreign Office to communicate in a formal manner with the President of the Board of Trade on matters forming part of its ordinary duties.

2129. That is the practical inconvenience of this communication between the Foreign Office and the Board of Trade?—It has been said (but upon that question I give no opinion) that it has led to considerable delays.

2130. Are you able to mention any case of delay which has come under your notice?—No; none has come under my notice.

2131. Is it not within your knowledge that the communication between the Foreign Office and the Board of Trade is carried on most expeditiously?—I have no reason to suppose the contrary.

2132. With regard to the Merchant Shipping Act, is not it a completely exceptional Act as regards placing the consuls under the Board of Trade?—I am not sure that I understand what is meant by its being an exceptional Act. It is found very convenient in the discharge of certain duties imposed upon the Board of Trade by the Merchant Shipping Act, that they should have the assistance of the consuls abroad.

2133. That is to say, the consuls were placed in communication with the Board of Trade by a special Act of Parliament?—It does so happen that that Act of Parliament recognises the consuls as the persons by whom those duties are to be discharged.

2134. Is not the Merchant Shipping Act connected altogether with questions between ourselves and British subjects?—Yes, no doubt; it is an Act for the Registration of Shipping and for the Regulation of the Mercantile Marine, and for questions relating to those subjects.

2135. That is to say, the matter relates entirely to questions between ourselves and British subjects?—Yes.

2136. Is there not a difference between questions exclusively between British subjects and Her Majesty's Government, and questions between British subjects and foreign Governments?—No doubt there is a difference.

2137. Would not there be a great difference between authorising consuls, on the one hand, to communicate directly with the Board of Trade upon matters between them (the consuls) and foreign authorities; and, on the other hand, authorising them to communicate with the Board of Trade upon questions exclusively connected with British subjects?—There would be a difference in the matters upon which they were to communicate.

2138. Would there not be a difference in principle?—I do not see that there would be a difference in principle.

2139. Do you think that there is no difference in principle between matters between British subjects and our Government alone with which we, as a Government, have to deal exclusively, and matters between our Government and foreign subjects with which we have to deal in connexion with foreign Governments?—No doubt that may be so, but the communication that has been suggested between the consuls abroad and the Board of Trade, was with a view to collecting information with reference to matters connected with trade, and not with reference to matters particularly affecting foreign subjects.

2140. Therefore, all that you would wish the foreign consuls to communicate to the Board of Trade is all their commercial returns and their commercial reports?—I have no wish upon the subject. All that I understood to be suggested by the question of the Honourable Member was, whether there was any difficulty in the consuls in the foreign countries communicating directly with the Board of Trade, as to matters of trade.

2141. Are not the consuls' reports upon trade and matters of shipping, and other things of that kind, at once sent by the Foreign Office to the Board of Trade?—I understand so.

2142. Therefore, the only practical advantage of putting the consuls in direct communication with the Board of Trade would be that you would gain a few hours?—I have not spoken as to the advantage; I have been asked as to the inconvenience of the arrangement.

2143. Would there be any great advantage in that arrangement?—I think it very likely, supposing that the Board of Trade is charged with the collection of information concerning foreign tariffs, that it would get it more effectually and more expeditiously if it could communicate directly with the consuls abroad.

2144. Do you think that the advantage of this direct communication would counterbalance the disadvantage of placing the consuls under two different masters?—The consuls are already, to some extent, under two different masters; the two duties would be exactly analogous.

2145. They are only under two different masters, so far as regards their duties under the Merchant Shipping Act, are they?—They are so under the Merchant Shipping Act.

2146. That is an exceptional position altogether, is it not?—It is exceptional, seeing that it is only in that respect that the Board of Trade does communicate with the consuls.

2147. Therefore, you do not think that there would be any disadvantage in putting the consuls under two offices?—I do not think that any disadvantage would result from the Board of Trade being allowed to obtain, directly from the consuls, such information as they require upon matters relating to trade.

2148. In what way, except in the gaining of a few hours, would that affect the communication between the Board of Trade and the consuls?—

At

At present, the Board of Trade does not suggest to the consuls upon what points it would desire to have information collected by them; it receives the information which is sent to it by the Foreign Office, and makes such use of it as it thinks fit.

2149. Could not you suggest to the Foreign Office what information you wished to obtain from the consuls?—That could be done.

2150. Why is it not done?—It has sometimes been done, but I think that, by direct communication with the Board of Trade, the information would be obtained more effectually; but this is not within my own department.

2151. Supposing you sent us a letter in the morning, asking for a particular communication from a consul, that letter would be sent off to the consul in the evening, and therefore practically no time would be gained in the matter, would it?—I know that in the matters that come under my own cognizance, in the communications that we have with the consuls in reference to their accounts, for instance, if it were necessary for us to get all our information from the consul through the Foreign Office, the task would be endless.

2152. In certain cases, where there is a convenience in the arrangement, the Foreign Office have no objection to your being in direct communication with the consuls, have they?—No; I believe not.

2153. There are certain cases, are there not, in which we have found it convenient, for instance, in the case you have mentioned in matters of accounts, to put the consuls in direct communication with the Board of Trade?—Yes, there is great convenience attending that arrangement, and I am not aware of any inconvenience resulting from it. If the Board of Trade were dissatisfied with a consul, no doubt it would treat the Foreign Office as being the master of that consul, and complain to the Foreign Office and not to the consul.

2154. Do you not think we might run the chance of very great inconvenience by a consul making a report, and introducing into that report political opinions or information which might give great offence to the country in which the consul was residing, if those reports were sent to the Board of Trade, and made use of by the Board of Trade without going through the Foreign Office?—I think those matters might be left to the discretion of the Board of Trade.

2155. You would undertake, upon your own discretion, to publish the report without consulting the Foreign Office?—I have not said anything of the kind.

2156. Would you do so, or not?—I have not formed an opinion. I had in view obtaining information for practical purposes.

2157. Surely when you come to give a decided opinion as to the consuls being placed in direct communication with the Board of Trade, you ought to be prepared to give an opinion as to how you would deal with their reports when they were sent to you?—I have said it would be useful for the purpose of collecting information with respect to foreign trade. The use to be made of that information is another matter altogether.

2158. Supposing you were to get the report of a consul in which strong political opinions were expressed with regard to free trade, and such things, would you think it right to consult the Foreign Office before publishing that report?—Probably we should not think it proper to publish the report at all; I should certainly, in the case supposed, not do so without consultation with the Foreign Office.

2159. Did I rightly understand you to state that the Secretary of State for India did not consult the Board of Trade at any time?—What I stated was, that I was not aware that the India Office was in the habit of consulting the Board of Trade in the sense in which I understood the question to be put by the Honourable Chairman, but that they had a great deal of communication with the Board of Trade with reference to matters that come under our cognizance in the department of the Mercantile Marine.

2160. Supposing that an important question of tariff were to be raised in India which affected this country, would not the Secretary of State for India consult the Board of Trade on that point?—I do not know; I am not aware of its being the practice.

2161. You are not aware whether the President of the Board of Trade is in personal communication with the Secretary of State for India?—No; I have no reason to suppose that he is, or that he is not.

2162. In the negotiation of the French and Turkish Treaties, has there been any practical inconvenience in the relative position of the Foreign Office and the Board of Trade?—That is a question that I am not able to answer. The negotiation of the details of the French Treaty was conducted in an exceptional manner.

2163. I understood you to say that the Secretary of State for Foreign Affairs would have to be responsible in his place in Parliament for matters connected with commercial treaties and tariffs if the proposed change were introduced?—Yes.

2164. That the information that he could give to Parliament, and for which he would be responsible, should be information given to him, or advice given to him by that officer, whom you propose to add to the Foreign Office?—The Secretary of State is responsible for getting such information as will enable him to form a sound opinion upon whatever question comes under his consideration.

2165. But he, and not the President of the Board of Trade, would have to be responsible for those questions to Parliament?—I understand that the Foreign Secretary is at present responsible for any conclusion that he comes to after consulting with the Board of Trade.

2166. Is the Foreign Secretary now responsible for the negotiation of a treaty, or for the facts and principles upon which that treaty is founded?—That is a question which I am hardly competent to answer.

2167. I suppose you make a distinction between the negotiation of a treaty and the negotiation of a tariff?—No; I do not know that I should make any distinction.

2168. I mean to say this: the Foreign Office having received the information and the advice from the Board of Trade, could negotiate upon general principles, a treaty with some foreign power; but when you come to go through a tariff for the purpose of revision or alteration of the tariff dues, then the Foreign Minister could be no longer responsible for those details?—I think the Foreign Minister is always responsible for the conclusion at which he arrives, after obtaining such information as he finds it necessary to obtain.

2169. Are you aware that in the case of the negotiation of the French Treaty of Commerce, the negotiation of the treaty itself was carried on by the Foreign Office, but that the details of the tariff were confided by the Foreign Office to Mr. Cobden

J. Booth, Esq.

17 June 1864.

Cobden and another gentleman, specially competent to deal with those matters?—I am perfectly aware of it.

2170. In that case there was no difficulty, and the treaty was successfully carried through, was it not?—It was.

2171. Do I understand you to say, that even supposing this gentlemen is to be the Commercial Under Secretary to the Foreign Office, the Foreign Office is to communicate directly with the subordinate officers of the Board of Trade, without the communication passing through the hands of the President of the Board of Trade?—I think that, supposing there were an officer such as has been suggested, he might very usefully be in personal communication with the officers of the Board of Trade, particularly with the officers of the Statistical Department, in order to obtain such information as would enable him to give proper assistance and advice to the Foreign Secretary.

2172. Do you mean to say that Earl Russell might send for Sir Emerson Tennant, or yourself, to the Foreign Office, to consult you?—If Earl Russell thought proper to do so, no doubt he would do so. But what I spoke of was communication between the subordinate officers, with a view to obtain information.

2173. Do you think it advisable that the Foreign Office should pursue the same system with the India Office, and with the Admiralty, and with the War Office, and other departments?—I have not suggested that the Foreign Office should take that course.

2174. What distinction do you make between those departments and the Board of Trade?—There is no reason why an officer of one department should not communicate unofficially, by letter or by personal intercourse, with an officer of another department. In fact, it is very commonly done. I have a great deal of communication with the officers of various departments.

2175. What I ask is, whether you propose that Earl Russell should send for Sir Emerson Tennant, or yourself, to consult you, in order to act upon the information and advice given by you?—I propose nothing of the kind.

2176. What do you propose then?—I propose nothing.

2177. I understood you to say that you saw no objection in Earl Russell sending for Sir Emerson Tennent and yourself, if he wished to consult you?—Yes, I see no objection to his doing so; but I have not proposed that he should do so.

2178. Do you not think that it would be exceedingly inconvenient for the transaction of public business if the head of one department were to send for the subordinate officers of other departments?—No. I can conceive cases where it would be very convenient. I have known more than one instance in which the President of the Board of Trade has sent for a Customs' officer to give him practical information on some question under consideration.

2179. Supposing that any advice that you give to the President of the Board of Trade is acted upon, and Parliament takes cognisance of what he has done and condemns him, do you consider yourself or the President of the Board of Trade responsible?—Supposing the Foreign Minister sent for me and acted upon my advice, in that case I should consider that the Foreign Minister was responsible.

2180. Supposing that the President of the Board of Trade acts upon advice given by one of his officers, is he responsible, or the officer who gives the advice?—He, undoubtedly.

2181. Do you think that Earl Russell, or the Foreign Minister, could act upon advice given by you to him, and throw the responsibility upon the President of the Board of Trade?—No, I do not think that the Foreign Secretary could throw the responsibility upon the President of the Board of Trade; the responsibility would be his own, if he acted upon my advice.

2182. Do you think that the Foreign Minister would take upon himself the responsibility of acting in a matter of trade upon the advice of an officer in the Board of Trade, when he was to be responsible to the country for doing it?—That is entirely a matter for his own consideration.

2183. Do you think it probable, speaking from your own experience of public business, that any Minister would do so?—Upon that point I cannot form an opinion.

2184. Were you ever sent for by Earl Russell, or Sir Charles Wood, or any head of a department?—I have been sent for by Sir Charles Wood, when Chancellor of the Exchequer, by the present Chancellor of the Exchequer, and by the heads of other departments.

2185. I speak of the Secretaries of State, particularly?—I have never been sent for by the Foreign Secretary of State. By the Home Secretary, I have.

2186. Would Mr. Milner Gibson send for either of the Under Secretaries from the Foreign Office to act upon advice given by him?—I think that Mr. Milner Gibson has occasionally sent for one of the Under Secretaries of State at the Foreign Office.

2187. Then you do not desire more than at present exists?—No; I desire nothing.

2188. Why do you give an opinion if you desire nothing?—I have given an opinion upon the points upon which I have been asked questions.

2189. You condemn the present system, do you not?—I have not condemned the present system.

2190. Then, I rightly understand you to say that you do not object to the present system?—I have urged no objections to the present system. Being required to attend this Committee, and being asked my opinion as to the working of the present system, I have given it.

2191. I understood you to have expressed an opinion that it would be a great improvement if there were a department of the Foreign Office devoted to commerce, with an officer at its head?—I have not stated that I thought it would be a great improvement.

2192. What have you stated?—I have stated that I thought it would be advantageous, particularly with a view to the consideration of foreign tariffs, and obtaining facilities for foreign trade, if the Foreign Secretary had at hand an officer capable of giving him such information and advice as Mr. Mallet is capable of giving to the President of the Board of Trade.

2193. Whilst holding that opinion, you state that, at the present time, the Secretary of State for Foreign Affairs could send for Mr. Mallet, if he liked, and ask for his advice?—Yes; he could.

2194. Would it not be better for the Minister to take the advice of a gentleman in the Board of Trade who has all the machinery at his disposal in the Board of Trade, than that of a gentleman in the Foreign Office who could not have that machinery at his disposal without going to the Board of Trade for it?—No; I think that the opportunity of freely communicating with the Foreign Secretary, and offering suggestions for the despatch of the matter under consideration,

tion, would have, in itself, considerable advantages, which would more than compensate for the extra trouble of the officer's occasionally having to go across to another department in order to obtain the information for which he had occasion.

2195. Then it is merely a question of the distance across the street?—I should not have thought so. There is, besides, this difference, that the Foreign Minister, in the one case, would be responsible for the clerk, or assistant secretary, or whatever he may be called, by whom he is assisted, and not in the other.

2196. You mean to say that the Foreign Secretary would be responsible to Parliament?—Yes.

2197. *Chairman.*] In regard to the last question, is not the Foreign Minister, at present, responsible for all negotiations that are conducted with foreign powers?—I understand so.

2198. Either upon great questions or upon questions of detail?—That is my understanding of his functions.

2199. Am I to understand, from your answers, that you think there would be an advantage in his having, in his own office, and, consequently, in constant personal communication with him, a gentleman who was able to give him information in regard to the details of commercial negotiations?—I incline to think that that would be useful.

2200. You think that there would be an advantage in his being in personal communication with a gentleman in his own office which is not at present possessed, while he is obliged to obtain that communication through another office?—Yes.

2201. Sir *Stafford Northcote.*] I understand you to say that you consider that the Secretary of State might send for an officer in the Board of Trade, if he thought it desirable, to ask information from him, but would there be any corresponding power or liberty on the part of an officer of the Board of Trade to ask an interview with the Secretary of State in order to lay matters before him which he thought it desirable for him to attend to?—That, certainly, would not be the case.

2202. If he were an officer in the Foreign Office he would have that power, would he not?—Yes.

2203. Mr. *Layard.*] Do you think that, in the Foreign Office, one of the Under Secretaries may call upon the Secretary of State to take his opinion upon any matter?—I have no information as to the organization of the Foreign Office which would enable me to answer that question. I think the Under Secretaries ought to be allowed to offer suggestions to the Secretary of State.

2204. *Chairman.*] Is it not the case that the Statistical Department is in a separate building from the Board of Trade, and that it is merely connected with the Board of Trade by a nominal subordination?—It is in a separate building; but the chief of the Statistical Department is entirely subject to the President of the Board of Trade.

2205. In case of any information being required by any other department from the Statistical Department of the Board of Trade, does that request go immediately to the Statistical Department?—That would depend very much upon the office that was in want of the information. It might be either addressed to the Secretary of the Board of Trade, in which case it would be forwarded to the Chief of the Statistical Department, or it might be addressed direct to the chief of the Statistical Department.

2206. Would there be the slightest inconvenience as regards the other business of the Board of Trade if all such requests for information possessed by the Statistical Department were to go direct to the Statistical Department?—I am not aware of any inconvenience which the other divisions of the Board of Trade would suffer from that arrangement.

2207. Mr. *Seymour Fitzgerald.*] I think you stated that the Board of Trade was consulted, not only by the Foreign Office but very often both by the Colonial Office and the Home Office?—I am not aware of having stated that it was often consulted by the Home Office; I said that we had occasionally consulted the Home Office.

2208. The Colonial Office consults you, does not it?—The Colonial Office consults us.

2239. You have suggested the formation of a department in the Foreign Office, where there should be a gentleman to assist the Foreign Secretary with reference to all questions connected the foreign trade; do you think that it would be advisable or useful in any way that there should be a similar department formed in the Colonial Office?—No.

2210. Why not?—The Colonial Office does not require such assistance. The points upon which the Colonial Office is in the habit of consulting the Board of Trade are for the greater part points upon which the Colonial Secretary can form quite as good an opinion as the President of the Board of Trade.

2211. Why, then, is he consulted?—In the greater number of cases, because it has been the practice to do so.

2212. Then practically there is no necessity, in your opinion, for the Colonial Minister to consult the Board of Trade?—Occasionally the Board of Trade, from the exercise of the functions with which it is charged, is in a condition to be able to give useful assistance and suggestions to the Colonial Minister, particularly with reference to the organisation of departments in a colony, with duties analogous to those discharged by us under the Merchant Shipping and Railway Acts. Upon points of that kind, the Board of Trade is able sometimes to offer very useful suggestions to the Colonial Minister.

2213. I understood you to say that the Colonial Office was often under the necessity of consulting the Board of Trade with reference to colonial enactments which might or might not injuriously affect British interests, with a view to seeing whether those enactments should receive the Royal assent or not?—I think I did not say that they were under the necessity of consulting them; I said that it was the practice to consult them.

2214. Can the Colonial Minister form an opinion as to how far a colonial enactment will affect British trade, without having recourse to the department which deals with questions of trade?—Yes; I think that the Colonial Minister can form quite as good an opinion upon the greater number of questions upon which he consults the Board of Trade with reference to colonial Acts, as the President of the Board of Trade can form. There are certain matters upon which the Colonial Office is in the habit of asking for our advice and assistance, namely, the construction and management of lighthouses abroad, in which, from the knowledge that we obtain in the exercise of our own functions, and from having professional officers at our own command, we are able to give very useful assistance.

2215. Supposing that there were enactments

J. Booth, Esq.
17 June 1864.

necessary in Canada to enable the Canadian Government to carry out the provisions of a reciprocity treaty with the United States, those enactments might, under certain circumstances, affect British commercial interests in this country to a considerable degree, might they not?—Yes.

2216. Is not that a question which the Colonial Minister would necessarily refer to the Board of Trade?—He would refer it to the Board of Trade; I am not sure that the Colonial Minister would not be able himself to form as good an opinion upon a question of that kind as the President of the Board of Trade.

2217. Mr. *Layard.*] Do you understand, therefore, that if this Commercial Department is to be transferred to the Foreign Office, the Colonial Office, and the other departments which may or may not have been in the habit of consulting the Board of Trade, should then consult the Foreign Office?—By no means; they would have to consult the Board of Trade upon all questions upon which they think that the Board of Trade can give useful information.

2218. Supposing that the Commercial Department were transferred to the Foreign Office, the Colonial Office would have to consult the Foreign Office, would it not, upon commercial questions?—The suggested transfer of one officer from the Board of Trade to the Foreign Office would not put it out of the power of the Board of Trade to give the Colonial Office very much the same advice and assistance as it has been in the habit of giving hitherto.

2219. You would have, then, officers who would give similar information in both departments, the Foreign Office and the Board of Trade?—I am not aware that it would be necessary for the Colonial Office to obtain from the Foreign Office, assisted as the Foreign Office might be with such an officer as has been suggested, any assistance with reference to the Acts which come under the consideration of the Colonial Office.

2220. I refer, of course, to matters connected with trade?—Trade is a very large word; if the question had relation to the registration or measurement of ships; if it had relation to lights, or other matters that form part of the executive duties of the Board of Trade, the Colonial Minister would usefully consult the Board of Trade; I do not think he would ever feel it necessary to consult the Foreign Office on any matter relating to trade. We, ourselves, although provided with a sufficient staff for the consideration of all ordinary matters relating to shipping, often find it useful to consult the Commissioners of Customs on various questions, on account of the great practical familiarity of their officers with such subjects.

2221. Sir *Stafford Northcote.*] Are you aware that it has sometimes happened that Colonial Acts having been referred tothe Board of Trade, the Board of Trade have examined those Acts very minutely, and have reported upon them with reference to their bearing upon trade, and have expressed a wish that the Acts should be disallowed, but that the Colonial Office have set the whole matter aside, upon grounds of Colonial policy generally, and the superior importance of recognising the right of the Colonies to legislate for themselves?—That has often been the case.

2222. Does not that seem to show that the reference of special business of that kind to a department which takes narrow views, and does not take in the great questions of policy, involves a great waste of time; because the Board of Trade may occupy itself in discussing the details of an Act which after all will be passed, whether the details are found to be satisfactory or not?—That would often be the case.

2223. Does not that seem, therefore, to show that it would be better, as far as possible, that these matters should be settled, from first to last, by the department which has the cognisance of the whole of the policy?—I think it is very desirable.

2224. Might not that apply also to the case of a commercial treaty; might it not very well happen, that if matters are referred to the Board of Trade by the Foreign Office, the Board of Trade may spend a good deal of time in discussing questions of detail which afterwards may be found to have been time lost, because there were question of Imperial policy or foreign policy which rendered it necessary to set aside all that work?—That might well be the case.

2225. You were asked just now whether, if such an addition as you proposed or contemplated were made to the Foreign Office, it would not throw a great deal of work upon the Foreign Secretary in Parliament; would it not be possible to meet that difficulty by appointing an additional Parliamentary Under Secretary at the Foreign Office, for the special conduct of this business?—I should think that would be an arrangement well worthy of consideration.

2226. If that arrangement were made, the Under Secretary would be in a position of authority which would enable him to correspond with persons abroad, and to take the conduct of the Parliamentary business, would he not?—That would be so.

2227. You were asked whether the addition of this business to the Foreign Office would not entail a considerable addition to the expense: would it not be the case that if additions were made on the one side to the establishment of the Foreign Office, reductions might on the other side be made in the establishment of the Board of Trade?—It would be so.

2228. With regard to the establishment of an additional Parliamentary office, such as I have suggested, do you think it would be possible, if this business were removed from the Board of Trade, to dispense with the office of the Vice-President of the Board of Trade?—As far as the discharge of the duties of the Board of Trade is concerned, I think that the office of Vice-President of the Board of Trade might very conveniently be dispensed with.

2229. The Board of Trade is no longer what it used to be, a department in which a Board met for the purposes of consultation?—It is not.

2230. It is becoming a purely executive department?—That is so.

2231. If the business upon which it is consulted by the Foreign Offie were removed from it to the Foreign Office, it would be still less a consultative department than at present, would it not?—It would be so; it is hardly at all, properly speaking, a consultative department, except with reference to questions sent to it by the Foreign Office.

2232. Do you see any advantage in the existence, in a department which is mainly executive, of two officers who are so nearly co-ordinate as the President and the Vice-President of the Board of Trade are?—I see no advantage in it.

2233. Mr. *Layard.*] When you say that there would be a Parliamentary Under Secretary, do you mean to say that the Under Secretary should be

be responsible to Parliament for any questions of commerce and trade which come within the department of the Foreign Office? — What exactly is the responsibility of an Under Secretary I am not able to say. He is subordinate to the Secretary.

2234. Are you not aware that an Under Secretary has no responsibity at all, but that he is only the mouthpiece of the Secretary of State?—I should have thought that he was the mouthpiece of the Secretary of State, and responsible for giving effect to the instructions of his chief.

2235. Therefore this gentleman, if he was in Parliament, would be the mouthpiece of the Secretary of State?—Yes.

2236. The Secretary of State would be responsible for what he might say or do?—Yes.

2237. Therefore he could not carry on an independent correspondence with Ministers abroad, or make independent statements in the House of Commons?—I should think not.

J. Booth, Esq.

17 June 1864.

2238. *Chairman,*] Do you see any advantage in your office being on a different footing from other great departments, as being a Board rather than a secretaryship?—It is not a Board really.

2239. Do you see any advantage in its being nominally a Board of Trade in place of being a Secretaryship for Commerce?—I see no advantage.

2240. I think I gather from your answers that you are of opinion that it is advisable that the Board of Trade should be confined to its administrative functions, and that its intercourse with other departments should be limited to occasions when they wish to obtain information which it possesses, in consequence of its fulfilment of its administrative functions?—That is my view of the matter; I do not think that a Board or a Department ought to exist for the purpose of getting up subjects in order to be able to give advice to other departments.

Sir James Emerson Tennent, called in; and Examined.

Sir *J. E. Tennent.*

2241. *Chairman.*] How long have you been in the Board of Trade?—Since 1852.

2442. Did you hold any position there before you held your present position?—I have held office in other departments, but not in the Board Trade.

2243. What is your position in the Board of Trade?—I am Joint Secretary in charge of the General Department, the Commercial Department, and I have likewise other functions connected with branches under several Acts of Parliament of which we have the administration.

2244. Mr. Booth has stated to the Committee what part of the business of the Board of Trade comes specially under him; will you tell the Committee what specially comes under you?—The most prominent portion of our functions is in connection with the Foreign Office. We are the consultative department in matters of foreign treaties, and likewise in matters of foreign tariffs, and in all questions arising out of the construction of those treaties. We are likewise consulted by the Colonial Office in reference to all Colonial ordinances which affect trade, and complaints from individuals or from bodies representing merchants, generally pass through the Board of Trade on their way to those departments from which they seek redress.

2245. I think, independently of fulfilling that function, in so far as the Board of Trade exercises any control over what may be called the separate offices of statistics, and the registration of designs and of joint stock companies, it exercises this control through you, does it not?—They are nominally under my department; but, practically, those offices have such a competent knowledge of their own business, and discharge it so effectually, that a question seldom arises which calls for the exercise of any jurisdiction on our part.

2246. When you were describing the communication which you hold with the Foreign Office you confined it, I think, to matters connected with tariffs and treaties; do they not also communicate with you upon matters relating to the navigation laws of other countries?—That comes under the head of treaties. The treaties upon which we are generally consulted are those of navigation and commerce.

2247. Will you be good enough to describe the exact mode in which communication between the Foreign Office and the Board of Trade takes place?—It being, as I have stated, consultative, the reception of communications from the Foreign Office is dependent upon their discretion in matters upon which they require our opinion; but in matters of information we receive from time to time, from the Foreign Office, such despatches as they have received bearing upon commerce, and such reports as reach them, either from the consuls or the diplomatic agents abroad.

2248. Then their communications with you are divided into two classes; those in which they ask your opinion upon special measures, and those in which, according to the regulations between you, they give you certain information?—Yes.

2249. With regard to the last division, what information are you in the habit of obtaining from them regularly?—In the first place, as regards the diplomatic body, we are in the habit of receiving from the Foreign Office the reports which are made by the Secretaries of Legation, from time to time, when those reports happen to affect commerce; and, as regards the diplomatic body, we have communicated to us from the Foreign Office such despatches, or portions of despatches, as refer to trade. From the Foreign Office we likewise receive the annual reports which the consuls make upon the state of trade in their various consulates.

2250. With regard to the other branch, in which the Foreign Office communicate with you at their discretion upon special measures, how is that communication conducted?—As to time, it is *pro re natâ*, and it is at their own discretion as to substance. A communication is immediately dealt with by us, and, with as much rapidity as we can bring the information we possess to bear upon it, our reply is communicated to them.

2251. You speak of communications from the Foreign Office to you upon matters of foreign trade; do you originate yourselves communications to the Foreign Office upon matters of foreign trade?—It sometimes arises in the course of reading the information sent to us, either from

Sir *J. E. Tennent.*

17 June 1864.

the diplomatic body or from the consuls, that we discover points to which, of our own accord, it may appear to be necessary to call the attention of the Foreign Office; and on such occasions we do not hesitate to originate the suggestion to them, but that does not occur very frequently.

2252. Then the communications which take place are much more generally originated by the Foreign Office than by you?—Certainly.

2253. How are those communications made; are they made with you, as Secretary to the Board of Trade?—The communications arrive addressed to the Secretary of the Board of Trade—not, I think, nominally, either to Mr. Booth or myself; on their arrival they are opened by the proper officer, who, according to the nature of the communication, sends them either to my colleague or to myself; upon them a minute is made as to the nature of the communication, and a suggestion as to the nature of the proposed reply; that is submitted for the approval of the President of the Board of Trade, and, being initialed by him, a letter is drafted, in substance embodying that memorandum; that, again, being approved by the President of the Board of Trade, is sent to the Foreign Office.

2254. Do those communications come from one of the Under-Secretaries of State in the Foreign Office?—Yes.

2255. Mr. *Layard.*] They are in the name of the Secretary of State, are they not?—Yes; always by the authority of the Secretary of State.

2256. *Chairman.*] This communication is carried on almost entirely by writing, is it not?—Almost entirely by writing; but occasions occur in which it becomes necessary, to facilitate the despatch of business or the quickness of the reply, for a personal communication to pass between the Secretary of the Board of Trade and the Under-Secretary of State.

2257. Does such a communication often occur?—Not often.

2258. Had you any personal communications with the Under-Secretaries during the long negotiations with regard to the Belgian treaty?—Yes, I think we had.

2259. Did that often occur?—Perhaps not often; the communication was chiefly conducted by writing.

2260. Do you remember whether you had any such personal communications with reference to the late Italian treaty?—No; I think we had not any personal communication with the Under-Secretaries.

2261. Do the communications which are made by mercantile bodies or chambers of commerce, with regard to foreign commerce, come generally to the Board of Trade, or do they go to the Foreign Office?—I think formerly they chiefly came to us, and we communicated with the Foreign Office; but of late years I think the action has rather changed, and they go almost as frequently to the Foreign Office, if they do not go to both.

2262. In cases in which they go to both, is there any arrangement between you and the Foreign Office, which secures your seeing them together, or your taking care that the same answer should be given to them by the two offices?—As to seeing them together, there is no such arrangement; but I think, in general, the answer of the Foreign Office is given after consultation with us, so that that insures an identity of reply.

2263. When those deputations from commercial bodies come to see the President of the Board of Trade, are you, or some gentleman holding your position, generally present?—When deputations come upon matters falling within my department, I generally attend with the President of the Board of Trade; and in the same way my colleague attends those deputations which refer to matters coming within his jurisdiction.

2264. Do you understand that it is the rule, as between the two offices, that the Foreign Office should not see mercantile deputations without informing you of their having done so, and without consulting you as to the answer that they shall give?—That entirely depends upon the nature of the business. If the Foreign Office feels quite competent to deal with it of itself, it does so; but if the business be of a nature that renders a communication or consultation with the Board of Trade desirable, that communication is made.

2265. Then, in fact, whether a communication is made to the Board of Trade or not depends upon the opinion of the Foreign Office as to whether the nature of the business is such as to require a communication to be made?—Yes; it entirely depends upon the nature of the business, and the discretion of the Foreign Office.

2266. When the Foreign Office communicates with commercial bodies, do they always inform you of their having made such communication?—Not unless it is necessary to consult us upon the subject upon which the communication is made.

2267. There, again, their doing so would depend upon whether they thought it advisable or not?—Yes.

2268. There is no rule which would necessitate their doing so?—No. I should add, perhaps, to that statement, that in almost all cases in which we receive deputations from commercial bodies, in relation to foreign commerce, it is essential that we should communicate to the Foreign Office, and we do so.

2269. Mr. *Layard.*] I suppose the distinction is between questions of policy and questions of fact?—Yes.

2270. If it is a question of policy, the Under Secretary decides it himself; but if it is a question of fact relating to commerce he consults the Board of Trade, does he not?—Yes.

2271. *Chairman.*] The decision as to whether it be entirely a question of policy, or a question of policy and of fact, rests with the discretion of the Foreign Minister, does it not?—Yes.

2272. In cases of individual applications of merchants with regard to foreign trade, that is to say, individual cases of complaint or grievance, do they generally come to you, or do they go to the Foreign Office?—I cannot tell in what proportion they come to us, or go direct to the Foreign Office; but we seldom are without such complaints at the Board of Trade of individual grievances, either arising from a misconception of tariffs or a misconstruction of treaties.

2273. When such grievances are brought to you, what course do you adopt?—We communicate immediately with the Foreign Office, giving them full particulars, in order that they may obtain the report of the consul or diplomatic agent at the place where the circumstance occurred.

2274. Do you embody that complaint in a letter to the Foreign Office?—We either do that, or we make a communication, stating the nature of the complaint that has reached us.

2275. Do you ever refer a complainant personally

ally to the Foreign Office?—I think we have very seldom done so.

2276. Have you had any instances of complainants going first to the Foreign Office?—Yes.

2277. In that case does the Foreign Office decide with regard to the complaint, without consulting you?—That will depend upon the nature of it. If it be a question of fact, upon which they can get the report of a Minister abroad, or a consul, they do so; if it be a question of construction or opinion, in all probability, they refer it to the Board of Trade.

2278. In that case, again, the question as to whether they shall do so or not rests entirely with their discretion?—Entirely with themselves.

2279. You sometimes put yourselves in direct communication with merchants, for the purpose of yourselves obtaining information, do you not?—Very frequently. We correspond very commonly upon all matters requiring information with the chambers of commerce; and upon questions upon which we can get direct information from merchants or manufacturers, we never fail to put ourselves in communication with them.

2280. You do not, I suppose, consider it necessary to forward those answers to the Foreign Office; they are for your own information?—We might either forward the answer or the substance of it.

2281. Does the communication with the consuls, upon matters connected with the Mercantile Marine Act, come at all under your notice?—No; that is in the department of Mr. Booth.

2282. Are you aware that complaints have been made by mercantile men and by chambers of commerce, on account of what they consider to be the disadvantages of having to communicate with two offices?—We have received many representations and deputations from chambers of commerce and others upon that subject.

2283. Are you aware that one ground upon which they make that complaint is that they consider that the necessity of having to complain to one office through another causes delay in the redress of their complaints?—I am aware of that complaint, but I am not sure that it is altogether logically founded. I think that, under almost any circumstances, they would have to address themselves both to us and to the Foreign Office, because on the nature of the complaint the Board of Trade, as the depository of the information upon which the decision turns, will require to be well informed, but on the application of that information to the individual case it is necessary to apply to the Foreign Office. I do not believe, therefore, that it would be practicable in all cases to avoid the double application. But, on the other hand, when the application is of the ordinary kind, my impression is that those deputations should go direct to the Foreign Office; and for this reason—that we are only the consultative and advising body of the Foreign Office, and with them lies the responsibility for the action.

2284. I think I understood you to say that the Foreign Office sent to you all the information that they received from their agents abroad, whether ministers or consuls, upon commercial matters?—They send us all that they consider concerns our department.

2285. Do you consider that there is anything in the present arrangement between the Board of Trade and the Foreign Office, with regard to commercial matters, that may cause delay which could be obviated?—I think, as a general rule, one might say that the merchants themselves have earlier information upon matters which are passing in foreign countries affecting their own interests than we have from the Foreign Office; and I am not quite sure that any means of acceleration that could be given to the Foreign Office would ever remove that inequality. I think an individual merchant, acting upon the spur of his own interest, will possess himself of information through private channels earlier than the diplomatic channels will convey it.

2286. That reply rather tends, does it not, to show that individual merchants could, under any circumstances, obtain the information quicker than any Government department?—I think so.

2287. Do you or do you not consider that the present arrangements for the Foreign Office giving you information could be in any way improved, or do you consider that there is no unnecessary delay at present?—I can only speak of the delay; as to the necessity for it, or the causes of it connected with the Foreign Office, I am not prepared to speak; I only know that the information does not, in the generality of cases, reach us as early as it reaches other quarters.

2288. Mr. *Layard.*] Do you mean to say that it is communicated by the Foreign Office to other quarters sooner than to the Board of Trade?—No; I mean that other quarters, by their own means of communication, obtain it quicker than we obtain it through the Foreign Office. I may say that communications have constantly been made to us, with reference to the proposed changes of tariffs, and other matters of which we had no official cognizance at the moment, though we may have heard of them through the newspapers.

2289. *Chairman.*] Do you imagine that it is a necessary accompaniment of a Government office that information with reference to changes of tariff should come to individual merchants before it comes to the Government?—Certainly not; I only speak of the effect of it, namely, that the information is more rapidly obtained by individuals than by the department.

2290. Is it the fact that you are sometimes informed of changes of tariff by individual merchants before you hear of them from the Foreign Office?—Yes; frequently.

2291. Have you any reason to believe that the Foreign Office could inform you of those changes of tariff more quickly than they do?—That depends upon the quickness with which the Foreign Office have received the intelligence themselves, and of that I cannot speak.

2292. If there be delay, you imagine that it does not arise from the Foreign Office in London delaying to send you the communication which it receives from abroad, but from the Foreign Office not receiving it from abroad as quickly as it might have done?—I apprehend that that is the case.

2293. Does the Foreign Office send you the information with reference to commercial matters in a complete form?—That is one point upon which we occasionally find difficulty. The Foreign Office sends to the Board of Trade, as I have stated, either the despatches or portions of the despatches which, as referring to trade, ought in their opinion to be communicated to us. But it frequently occurs that when we come to deal with those questions, we find we have not got the whole of the information, some parts of which

Sir *J. E. Tennent.*

17 June 1864.

could have been sent to us at an earlier period, and we are obliged to apply for it. When we do apply for it, we obtain the omitted portions.

2294. Am I to understand from that, that the Foreign Office has in its own possession information which it only sends to you piecemeal, or that the Foreign Office only obtains it piecemeal?—Both; the information arrives in despatches, and it happens occasionally that the whole of it is not communicated to us until, on coming to deal with the later despatches, we discover the omission of the earlier ones.

2295. Do I rightly understand by that, that you sometimes receive despatches with reference to trade, which refer to previous despatches which you have not received?—Yes.

2296. I understand that sometimes you receive despatches not when they arrive, but you only receive them when the business may be said to be complete, and the whole series of despatches has arrived?—Yes, it often occurs that the Foreign Office send to the Board of Trade for an opinion upon certain matters which have been subjects of discussion, and along with the request for that opinion, they send us the previous correspondence in a body.

2297. Would not the fact of their waiting until the correspondence is complete in itself account for the individual merchants being more speedily informed than you are?—You are coupling what I am saying now with what I said before about tariffs; what I now allude to applies to various subjects.

2298. What you now allude to applies to the Foreign Office asking for your advice upon measures in contemplation?—Yes; or perhaps upon questions raised abroad and still under consideration.

2299. You say, you sometimes find a difficulty in giving that advice, because you have not got all the facts before you, some of the earlier communications not having been forwarded?—Yes; but on applying for them they are supplied.

2300. When you get all that the Foreign Office possesses, do you generally find that you have complete information, or do you think that more could have been furnished?—It sometimes occurs that further information would have been desirable which is not furnished; but I am not in a condition to know whether the Foreign Office has itself obtained that information or not.

2301. Supposing that you yourself were endeavouring to obtain that information from a foreign minister, I suppose, upon the first conviction that it was wanting, you would apply to him for it; do you apply through the Foreign Office for it?—We apply always through the Foreign Office. If your question applies to the propriety of a more direct communication with the bodies who supply that information, either diplomatic or consular, I can conceive it quite possible that the information might be obtained both earlier and more complete if we were in more direct communication with those parties.

2302. I suppose you mean our diplomatic officers abroad?—I mean our officers abroad.

2303. Is it the custom for the Foreign Office to confine their communications upon commercial matters to official despatches, or do they also send you private notes which they receive from the ministers abroad upon commercial matters?—Personal notes passing between a minister in his personal capacity and the Secretary of State for Foreign Affairs are not sent to us; but we frequently receive communications which, though official, are marked "confidential."

2304. Do you, or do you not, suppose that all the information which is obtained by the Foreign Office upon commercial matters, from private sources, is communicated to you?—I think, in the negotiation of commercial matters, political considerations are so mixed up with commercial objects that the one materially affects the progress of the other; and, I think, frequently, that those considerations are not communicated to us (certainly not officially), as being the cause of delay.

2305. Do you, or do you not, imagine that every fact, and all the information which the Foreign Office obtains from its ministers abroad, with regard to commercial matters, is as much in your possession as it is in the possession of the Foreign Office?—I am sure it is in the contemplation of the Foreign Office that it should be so; if omissions take place, it is not from design.

2306. Practically, do you think it is so or not?—Practically, I should say it is so.

2307. Mr. *Layard.*] The Secretary of State for Foreign Affairs may communicate private information to the President of the Board of Trade which you would not know of, may he not?—Yes, certainly; that I should add to the opinion I formerly gave, that although the official communications which may daily pass upon commercial matters may not be communicated to the Board of Trade, I have no reason to doubt that they are communicated privately between the Secretary of State and the President of the Board of Trade.

2308. *Chairman.*] You say you have no reason to doubt that; have you reason to think so?—I should think so.

2309. You have stated that a commercial question is closely connected with political considerations; are you always informed of the political questions upon which any commercial question depends?—We are not always informed of that, because the nature of those political causes or considerations may be such that it would be imprudent for the Foreign Office to make them officially known to us.

2310. Do you imagine that your want of that knowledge is no disadvantage to you in forming an opinion upon which you can guide the Foreign Office?—No; I do not know that it is. The opinion that we are bound to give to the Foreign Office is, as to the propriety of certain measures; but it is for the Foreign Office themselves to consider what is the favourable moment for entering into negotiations with that view. There may be reasons, in the nature of obstructions, which would make it inexpedient for them to communicate to us officially the reasons which weigh with them, and which produces delay.

2311. It has been stated to the Committee, that it is the rule of the Foreign Office always to consult your office before treaties affecting commerce are concluded with foreign nations. Has that always been the case?—I think that would require considerable qualification.

2312. For instance, upon the treaty which has been alluded to to-day, namely, the reciprocity Treaty with the United States, were you consulted?—No.

2313. Mr. *Layard.*] What Treaty are you referring to?—The Treaty of 1854; the Canadian Treaty.

2314. *Chairman.*]

2314. *Chairman.*] Was your first official information, with regard to that Treaty, that it had been practically concluded?—I should think so; we certainly were not consulted beforehand.

2315. Mr. *Layard.*] That was not a treaty which affected this country, was it?—Yes; it very materially affected this country indirectly, inasmuch as it placed British produce in Canada at a disadvantage, as compared with United States' produce.

2316. It was a colonial question belonging to Canada?—Yes; it was a colonial question managed Imperially.

2317. *Chairman.*] Was not it a treaty which put British produce at a disadvantage in Canada with regard to produce from the United States?—On certain articles it did. The articles may be few, and the amount may be unimportant, but the principle was bad.

2318. Then, do I rightly understand that upon that Treaty, and upon the principle involved in that Treaty, you were not consulted before it had been practically concluded?—We were not.

2319. I thought that had been precisely the kind of question upon which the Board of Trade were consulted?—I am not aware of the circumstances which prevented our being consulted; but we were not consulted.

2320. With regard to the Treaty with Japan; were you consulted upon that before it was practically concluded?—If you mean the first Treaty with Japan, Sir James Stevens', we were not.

2321. With regard to the most important of all, namely, the French Treaty, were you consulted upon that before the Treaty was concluded?—Not before the Treaty was concluded.

2322. How was it with regard to the Russian Treaty?—That is some years ago; the Board of Trade were consulted upon it, in all its stages; and the practice is, in reference to treaties in general, to consult the Board of Trade; in fact, in almost the majority of instances the draft is prepared by the Board of Trade. If it is not prepared by the Board of Trade, it is submitted to us in the process of negotiation, and before final acceptance.

2323. Are you always informed by the Foreign Office of any of the reasons why they will not carry out your suggestions with reference to foreign commerce, especially with regard to foreign tariffs?—I remember no case in which the Foreign Office have differed with us upon a substantive matter of our recommendation; consequently, if any delay arose, it was from political considerations. Those have frequently been communicated to us, but there are many instances in which they have not been communicated to us.

2324. We find in these papers, which I suppose you have read, containing the correspondence with reference to the Italian Treaty, that a draft of that Treaty was sent by you in 1862 to the Foreign Office, and we find no communication from the Foreign Office to you, with regard to that draft until after they had received another draft from Mr. West, in the beginning of the year 1863. Did the Foreign Office give you any reason why they did not communicate with you, or why they did not send on your suggested draft treaty?—As far as I remember, I think we were not communicated with; but I believe that you have summoned Mr. Mallett, and as he is personally acquainted with the matter, I think it is more desirable that he should answer this question.

2325 That would apply to Belgium also, would it not?—Yes.

2326. You are of course aware that Signor Marliani came over from Italy with reference to the projected commercial treaty between this country and Italy, in the course of the year 1862?—Yes.

2327. Did he ever come to your office?—We had a communication from the Foreign Office, to tell us that he would be put in communication with us, but he never came; our inference was, that from some political considerations the progress of the business had been suspended.

2328. Mr. *Layard.*] Did not Mr. Milner Gibson see him constantly at the Foreign Office?—I believe the President of the Board of Trade saw him at the Foreign Office.

2329. *Chairman.*] You said that it was your inference that the progress of the business had been suspended; you were not informed that there were political reasons for the suspension of those negotiations?—No.

2330. You are aware, I suppose, that there has been a suggestion made by those commercial gentlemen who have been examined before us, who think that there is a disadvantage in having to apply to one office through the other; that there should be a commercial department at the Foreign Office. What is your opinion with regard to that suggestion?—When that idea was suggested some months ago, there was something attractive in the proposal; but on due consideration of it, I am quite satisfied in my own mind that it never would work well.

2331. That suggestion has been made under two forms: one, that such department should be under the supervision of a permanent Under-Secretary of the same position as Mr. Hammond, and the other, that it should be under a political Under-Secretary of the same position as Mr. Layard. Am I to understand that you think that there are objections to both those forms?—My objection would apply to both.

2332. First, with regard to the objection to a permanent commercial Under-Secretary, what is your chief objection to that?—I cannot see that the information which we acquire at the Board of Trade, and which we communicate for the guidance of the Foreign Office, could be obtained more efficiently by such an establishment as it is proposed to create in the Foreign Office. I am quite satisfied, too, that our own establishment would still have to be continued, notwithstanding the creation of that department in the Foreign Office, and the consequence would be that we should have two departments doing precisely the same work. If the experiment in the Foreign Office was successful, one of them would be superfluous; if it was not successful, it would be no improvement upon the present state of things, and there would be a great risk of antagonism and difference of opinion.

2333. When you say that it would be necessary for your office to be continued, do you mean to say that you would require to acquire the same information with regard to foreign commerce that you at present have to acquire?—I do; I believe that foreign, domestic, and colonial commerce are so mutually interdependent, that it is impossible, with advantage, to separate the consideration of any one branch from that of the others; therefore, if the two other departments were left to us, namely,

Sir *J. E. Tennent.*

17 June 1864.

namely, the Department of Domestic and Colonial Commerce, I think we should be still obliged to get all the information which we now collect with reference to foreign commerce, as affecting questions with respect to domestic and colonial commerce; consequently both departments must be maintained.

2334. Do I rightly understand you to say that you think that, supposing the new commercial officer at the Board of Trade was a permanent Under-Secretary, the Chief Secretary having still to answer questions in Parliament and to conduct negotiations, would have to consult two offices in place of consulting one?—For the proper discharge of his duty, he would; but besides that, I believe that it would be such an addition to the labours of the Secretary of State to master the consideration upon which he would arrive at results upon commercial questions, that it would be almost incompatible with the discharge of his other functions.

2335. That objection would not apply, would it, to a Parliamentary Under-Secretary who would answer questions relating to foreign commerce, and those questions only?—No; but there would be this disadvantage in the case of a Parliamentary Under-Secretary—that his office would change with every change of Government, and every new Parliamentary Under-Secretary would have to commence his education; and I believe the labour which is required, in order to master commercial questions in their entirety, is so great, that by the time that the new Secretary would have acquired it his turn would have come to change office again.

2336. Mr. *Layard.*] In addition to that, the Secretary of State would be responsible still, would he not?—Yes.

2337. And, therefore, being responsible, if he were a conscientious man, he would consider it his duty to inform himself upon those subjects, would he not?—Certainly. I may state, in illustration of the labour which I believe would be added either to the Secretary of State or to the Under-Secretary, that there are few departments in which the volume of results bears so small a proportion to the labour of obtaining them, as in the Board of Trade. The quantity of correspondence and the number of documents that must be read, to arrive at a result which is conveyed in a single sentence, either affirmative or negative, is such as would be scarcely credited, except by a person who would undergo the labour.

2338. *Chairman.*] Am I to understand by this answer that you think there is any foundation for the complaint made by commercial men, that they would prefer their representations being conveyed to the Board of Trade rather than to the Foreign Office?—My impression is that their representations should be conveyed to the Foreign Office. The Foreign Office is, in reality, responsible, for in such instances we are only an advising body, and the commercial men have no more right to communicate with us than they have to communicate with the law officers of the Crown, in a parallel case in which a legal question is involved. Their representations should be made directly to the Foreign Office.

2339. Mr. *Layard.*] You refer to questions affecting foreign commerce?—Yes.

2340. *Chairman.*] I understand you to say that you think it would be well if the commercial bodies felt that the Foreign Office was the office that was responsible to them, but that the practice should continue of the Foreign Office resorting to your office for information as to how to meet their complaints; is that your opinion?—Yes. I should like to add an observation to my former answer. Your questions have applied to the probable case of a foreign department of commerce being created in the Foreign Office, still, however, leaving the Board of Trade to the exercise of its functions. But another shape in which I have heard that proposition put to-day is, that the foreign functions of the Board of Trade should be given to the Foreign Office, and the colonial functions to the Colonial Office; in fact, that the Board of Trade should be dismembered. Upon that proposition, which I have heard to-day, I should observe that I believe the information that the Board of Trade in its collective capacity brings together is infinitely more complete and valuable than could be obtained by any sectional departments collecting each for themselves similar information. That depends upon what I have already alluded to, namely, the interdependency of every branch of trade, foreign, colonial, and domestic. I believe, therefore, that if it was to be collected sectionally, the value of the information which the Board of Trade now possesses collectively would be very much deteriorated; and not only that, but I think that if each department was to act upon the advice of its own commercial branch, you would make the policy of those several departments antagonistic by-and-by. Each would look at its own subjects in a partial manner: political subjects would be regarded in the case of the Foreign Office, and colonial subjects in the case of the Colonial Office; whereas the effect of the Board of Trade at present is to harmonise the policy of all, by as far as possible inculcating upon all a commercial instead of a departmental policy.

2341. Is it the case that the India Office consults you upon commercial matters?—It is not.

2342. Does not the India Office consult you, for instance, upon such a question as levying a tariff upon Manchester cottons?—No; the India Office has never consulted us; the reason for that I ascribe to this, that in the original constitution of the Government of India, it was an independent company, acting for its own profit. It therefore dealt with its own commercial questions as it were, irrespective of whether those were in accordance or antagonistic to the Imperial interests. They had their own department for trade, and their own statistical department, and they never consulted us. But when the East India Company ceased, and its functions were handed over to the Secretary of State for India, the Board of Trade thought it necessary to apply to the Secretary of State for India, to remind him of the change that had taken place; that India had now become a dependency of the Crown, and to say that as the Board of Trade was in the habit of advising all the other colonial dependencies upon matters of commerce, we should be happy to give them any information which we possessed in the same way. To that letter we received an answer some years ago, to say that when our advice was wanted, we should be applied to.

2343. Do you consider that there is any disadvantage in the India Office not consultiug you upon matters of tariff?—I scarcely remember a period when the tariffs of India have not been a subject of complaint, as being antagonistic to the interests of England.

2344. The

2344. The Colonial Office does consult you, does not it?—The Colonial Office does consult us upon the propriety of giving the Queen's sanction to ordinances affecting trade, and also upon matters of Colonial duties, and other commercial questions.

2345. For instance, the cotton manufacturers of Lancashire complain almost as much of the Canadian duty upon cotton goods as they do of the duty levied by the Indian Government; has the Board of Trade protested against such duty?—Uniformly.

2346. Do you consider that there has been any advantage in their being able to make that protest?—I think the Board of Trade, in some instances, even with reference to Canada, has had the advantage of its opinion being acted upon. But, in others, the Colonial Legislatures have been allowed to take their own course, irrespective of the opinions expressed by the Board of Trade.

2347. Does the Treasury consult you invariably upon such of its measures as affect the trade of the country?—Seldom or never; I can scarcely remember an instance in which the Treasury has consulted the Board of Trade since I have held my present office.

2348. It was the case, was it not, that the Treasury consulted you with regard to the sugar duties recently?—Yes; I think it was rather the Foreign Office that consulted us with regard to that. There was an international convention that took place at Paris, which Mr. Mallet attended, upon the subject of sugar duties. I am not sure whether it was the Treasury or the Foreign Office which consulted us in that instance.

2349. By your former reply, of course, you do not mean to say that the Chancellor of the Exchequer does not communicate with the President of the Board of Trade as his colleague in the Cabinet?—What passes in the Cabinet, I cannot tell; but official communications are never made to us by the Treasury.

2350. The official information possessed by the Board of Trade is not, to your knowledge, brought to bear upon those questions entertained by the Treasury?—No.

2351. I think you stated that you were not informed of the French Treaty until it was practically concluded. Was not your office informed of the probability of such a treaty being entered into, and of its being based upon a very considerable reduction of the duties levied upon foreign goods?—I am not aware that we had any official cognisance of the French Treaty, notwithstanding that there was a rate of duty fixed in it, until the treaty had taken such a shape as to be in a condition to be laid before Parliament.

2352. If you had been informed of it at an earlier stage, would you have made representations that communications somewhat similar to those we made to France, should have been made at the same time to other countries, with respect to a reduction of duties?—I think so. We were about to give an immense advantage to France in respect of her wine; and I think, if time had permitted, we might have had representations made to Spain and Italy; we might have made use of it to obtain better terms for our manufactures.

2353. Do you think that your Board, as being specially concerned with trade, would, if you had had time, have suggested that the opportunity should be made use of to apply to Spain and Portugal?—I should not fail myself to have suggested it to the President of the Board of Trade.

2354. Is there any disadvantage in the working of your office as compared with other offices, in the fact that your office is not a Secretaryship of State, but a Board?—The practical disadvantage at which we feel ourselves placed is, that when our strongest convictions are conveyed in the shape of advice to other departments, we have no influence in seeing that they are carried out; they may be set aside or disregarded at the option of those departments.

2355. Do you think that that arises because, according to the etiquette of other departments, an office at the head of which is a Secretary of State, is in a superior position to an office under a Board?—I cannot trace it to a mere technical reason of that kind; but certainly the status of the Board of Trade, as compared with that of other departments which are represented in the Cabinet, is not upon an equality with them.

2356. Are you aware whether in other countries the Ministry of Commerce, answering to our Board of Trade, is not put upon an equality with the Department of Foreign Affairs, and with the Department of the Colonies?—I believe it is so in France; and looking to the importance of the interests committed to the President of the Board of Trade, I think he is eminently entitled to occupy a similar position.

2357. I think you have given a decided opinion that you would consider it a disadvantage to attempt to transfer the department which looks after foreign commerce in your office to the Foreign Office; do you think that a similar objection would apply to a suggestion which has been sometimes made, that the Vice-President of the Board of Trade should be himself an Under-Secretary in the Foreign Office for commercial matters?—I can conceive that there would be considerable advantages in that, but coupled with some inconveniences. I can well appreciate the importance of having the business of the two departments simultaneously known to a man connected with each; I believe that it would lead to a more thorough knowledge of the wants and wishes of the Board of Trade, and to a more rapid realization of them as regards the Foreign Office. But, on the other hand, I believe that the Vice-President in such a position would find himself anomalously placed as regards the President of the Board of Trade; he would become the depository of information of the most important kind, of which the President of the Board of Trade would not have the advantage of being equally possessed.

2358. Your objection to that would be, that his position, as a subordinate officer to the President, would be almost untenable, would it not?—I should think so.

2359. Do you know whether, in the communications that are made to you by the Foreign Office, the Foreign Office puts those communications under the care of any special clerk or not?—I should think the contrary; if you mean to inquire whether I think that there is any special clerk in the Foreign Office who has charge of questions affecting commerce as communicated to the Board of Trade, I do not think there is.

2360. Mr. Hammond, whose evidence I dare say you have seen, has stated that there is not, and

Sir *J. E. Tennent.*

17 June 1864.

and that he thinks there would be great objections to there being, such a clerk; have you, or have you not, formed any opinion, as an officer of the Board of Trade, as to whether it would be an advantage to you, in your communications, that the Foreign Office should have such a clerk?—Of course I speak with diffidence, not knowing the precise machinery that exists in the Foreign Office; but I can conceive that it would be an advantage if there were a clerk charged, not with administrative, but with ministerial functions; not to conduct the correspondence with the Board of Trade, but to see that that correspondence is quickly carried on. I think it might prevent delays, and lead to replies being more quickly despatched.

2361. Mr. *Layard.*] Have you any such clerk in the Board of Trade to see that the correspondence with the Foreign Office is carried on promptly?—No; I should say that Mr. Mallet represents the kind of person I would have there, with this difference, that Mr. Mallet's functions with me are deliberative as well as ministerial.

2362. *Chairman.*] You mean to say that you think it would tend to a more prompt communication between the two offices if there was any gentleman at the Foreign Office who had the same care over that correspondence as Mr. Mallet has as a part of his duties?—I think so.

2363. To take an illustration: would you or would you not think that it would have been difficult for the draft treaty, which you forwarded in the beginning of 1862, to have been so long without any remark being made by the Foreign Office, if there had been such a clerk there?—I cannot answer that question, because I do not know what the explanation of the condition of things was, or whether it was capable of being communicated.

2364. Sir *Minto Farquhar.*] That draft had reference to the Italian treaty, had it not?—Yes.

2365. *Chairman.*] It has been stated by one or two of the witnesses that there is a special reason for this inquiry, as to the efficiency of the organization of the two offices, on account of the great increase which has lately taken place in trade; do you think that a reasonable statement?—I think it is very probable that the present uneasiness of action of the two offices arises from the prodigious increase of trade in this country, which, within 10 years, may be said to have trebled, both in exports and imports. I think that the same machinery which was quite capable of carrying on the trade whilst its bounds were smaller, has been found insufficient now, when its dimensions have become so enlarged.

2366. I gather, that although you do not think that the suggestion of a commercial department in the Foreign Office is one in which advantages outweigh disadvantages, you are not of opinion that the present organization is all that it should be?—I think that the present organization, in its conception, is one which ought to be maintained; but I think that it requires more momentum. I think in the first place, as regards the Board of Trade, that the Board of Trade should have more influence, I should perhaps use the word power, to enforce its own opinions; that they should become matters of Cabinet and Imperial policy, instead of being merely suggestions for departmental action. I think also that the suggestion which you have thrown out of having a clerk in the Foreign Office, in the capacity that you have described, would be an advantage. I cannot but feel that probably more complete and more prompt information would be obtained, if our communication with the consuls, and probably even with the diplomatic body itself, on special occasions, were made more direct.

2367. Supposing that there was such a communication, how would you think that it ought to be conducted?—I think it must be conducted through the Foreign Office. I think that they ought to be aware of every communication that passed between either their diplomatic agents or consuls, and the Board of Trade, and that communication might take place under flying seal.

2368. Do you think that by so communicating you would avoid the possibility of any collision between the instructions from your office and those from the Foreign Office, because the Foreign Office would always warn you in case of danger of such collision?—Yes, I think so. I think that such communications as the witnesses have alluded to would pass through the Foreign Office, subject to their approval.

2369. Are not there a great number of individual cases of detail in which British subjects apply to you for your influence with the Foreign Office, to see that their complaints are attended to?—There are, and I think myself that it would be a pity to destroy the feeling which exists among the manufacturing and commercial classes in this country, that there is an independent department to whom, in cases of complaint, they can resort, with an assurance of sympathy; a department with no individual interests of its own to look to. I think they resort to us in cases of complaint with regard to the Foreign Office, and likewise upon matters connected with the Customs; and if the Board of Trade was dismembered, I think the commercial community would soon find the want of a commercial tribunal, or rather public body, to resort to in such instances.

2370. Are not those cases generally cases that would admit of immediate settlement between you and the foreign ministers abroad?—I speak of questions not connected merely with foreign policy, but questions affecting the Treasury; and other departmental questions connected with the Foreign Office, I think might be disposed of as has been suggested, by the communication to the diplomatic or consular agents abroad passing through the Foreign Office, with its full cognizance, and subject to its approbation.

2371. Some of the witnesses who have been called before us, have expressed a fear that the consuls and foreign ministers do not attend to trade quite so much as they would do, if they were brought into more immediate personal connexion with the office whose business it is to look after trade; do you think that there is any ground for that fear?—I am not prepared to give any individual instances in illustration of it, but I cannot but feel that if we were in direct communication with the consuls, and had opportunities of making them aware of our wishes and wants, they would be more fully and promptly met and supplied than they are now. I cannot but likewise feel that if the consuls were aware of the appreciation which their reports meet with when they come to the Board of Trade, if we had the means of communicating that fact, a great stimulus would be supplied. Some years ago a proposition was made that we should have the means of expressing our views upon them; but it was not favourably

favourably received, and it was never acted upon.

2372. Is it your suggestion that you should be put in communication with the consuls abroad, or that the consuls should be put under your office?—I should say, merely that we should be put in communication with them. It is quite true that, at present, the Board of Trade is asked its opinion upon the appointment of every new consulate or vice-consulate; the appointment appears to be made upon considerations of trade alone, but as soon as it is made, all communication with the department having the management of trade ceases. I should be quite content with the extent of communication I have shadowed out, without looking to have the consuls placed entirely under the Board of Trade.

2373. Am I to understand that your suggestions are that there should be a clerk in the Foreign Office who should have the care over the correspondence with your office?—Yes.

2374. And that your office should be put into immediate communication with the consuls and the foreign ministers upon matters of commerce?—Yes.

2375. Sir *Minto Farquhar.*] Still I understood you to say that you thought you should still communicate through the Foreign Office under flying seal?—Yes, under flying seal through the Foreign Office.

2376. *Chairman.*] I understand also that you think that there would be an advantage in the Board of Trade being put in an equal position with the offices at the head of which is a Secretary of State?—The advantage I see in that is, that the power ought to be imparted to the Board of Trade, to give greater force to its own recommendations.

2377. Mr. *Layard.*] Have there not been occasions when the communications between our agents abroad and the Board of Trade have been carried on under flying seal. I think in the case of Mr. Ward that occurred?—That is not within my knowledge; it is very likely.

2378. At no time has there been any objection raised by the Foreign Office against it?—No.

2379. Sir *Stafford Northcote.*] I understood you to say that you objected to the idea of the creation of a Commercial Department at the Foreign Office for this, amongst other reasons, that it would add very much to the labours of the Secretary of State; and that, even if there were a Parliamentary Under-Secretary of State, it would still be necessary for a conscientious Secretary of State to inform himself upon the general subjects of that department. I also understood you to say, that you thought that the complaints of merchants ought to be sent directly to the Foreign Office. Have I correctly apprehended you upon those two points?—It would depend very much upon the nature of their complaints. My reference to direct applications from complainants to the Foreign Office referred to the cases of which the Honourable Chairman was speaking of deputations from chambers of commerce affecting policy; in such cases, I think, they ought to go to the Foreign Office, because they are responsible for the action, and we only for the advice.

2380. Do you not think it would be the duty of a conscientious Secretary of State to receive those representations, and to make himself aware of the subject to which they relate?—That is a very small portion of the business; the complaint itself contains generally a statement of the facts, and the listening to that goes far to assist the Secretary of State in coming to a conclusion. But when it is proposed to create in the Foreign Office a department which should advise and report to the Secretary of State upon commercial questions, I think that the labour of qualifying a Secretary of State to receive those reports, and the reading of the papers upon which they were founded, would, in my opinion, be so immense as to be incompatible with the discharge of his political functions.

2381. Do not you think it very desirable that the Secretary of State, in order to judge of particular complaints, should have a general knowledge of the course of trade, and of the matters bearing upon the complaints which are made?—Undoubtedly; but I take it for granted that in deciding upon any question in the Foreign Office, the Secretary of State for Foreign Affairs would be compelled to undergo the same process as the President of the Board of Trade has to undergo in order to make up his mind. That process is this: when I have occasion to lay a case before him, I bring all the papers with my opinions upon them, and it is his duty to read the papers, and to see that his opinion concurs with mine; that is what I mean when I say that a conscientious Secretary of State would be obliged to go through an immense amount of labour.

2382. If that conscientious Secretary of State is to form a fair judgment upon the complaints which are made to him, would it not be necessary that he should go through an immense deal of labour to inform himself, not only of the precise point brought before him, but of collateral points?—Yes; I do not confine my observation to complaints alone, but it has been proposed here to create a department in the Foreign Office to collect information, and come to decisions upon all questions of foreign policy, and not upon complaints alone.

2383. Would not that involve the necessity of the Foreign Secretary making himself master of a considerable amount of information bearing upon the course of trade, in order to enable him properly to appreciate and deal with the various complaints or representations that might occasionally be made?—No doubt there must be a large amount of general information required; but, in cases of individual complaints, the facts almost suggest their own solution.

2384. To what sort of cases do you refer; to cases in which an individual, A. B., has met with some ill-treatment, or to cases in which the chambers of commerce desire that particular steps should be taken in order to relieve trade from restrictions?—My remarks especially apply to the first instance, namely, an individual complaint. With reference to the second case, the Secretary of State, in making up his mind upon the course of policy suggested by the chambers of commerce, has now the assistance of the Board of Trade, who have thoroughly considered all those matters; but under the plan proposed here, he would be obliged to form his own opinion.

2385. After having received the advice from the Board of Trade, he is the responsible person to act, is he not?—Yes; but we are responsible for that advice.

2386. Do you think that he would not consider it necessary to make himself master of the facts upon which the advice was given?—No more than he

Sir *J. E. Tennent.*

17 June 1864.

he would feel himself obliged to form his opinion upon the facts on which the law officers give their advice in a legal question.

2387. You think that he is to be merely ministerial, and to carry out the opinions of the Board of Trade?—The Board of Trade, as at present constituted, has to suggest the advice, not to decide.

2388. Who has to decide?—The Foreign Secretary.

2389. Then the Foreign Secretary must make himself master of all the considerations bearing upon the subject, must he not?—No; he takes those from the Board of Trade, whose business it is to master them. If necessary, he can also take the advice of the law officers of the Crown.

2390. If he is to take his conclusions from the Board of Trade, where is his responsibility?—His responsibility is for the action.

2391. You mean that he would be responsible, if he did not do what the Board of Trade desired him to do?—Yes, provided that just cause could not be shown for the delay or omission; but I said that I was not aware of a single instance in which the Foreign Office had differed from the policy recommended by the Board of Trade, though they may find obstructions in carrying that policy into effect.

2392. What is to be the position of this officer who is to give greater momentum to the recommendations of the Board of Trade; is he to make himself master of all those commercial questions?—No; I say that he is not to have deliberative functions, but he is to be a clerk who will see when the representations come in from the Board of Trade to the Foreign Office, and will watch the period in which they are replied to. I think that would prevent omissions and delays.

2393. He is not himself to advise the answers which should be given?—Certainly not.

2394. He is to suggest to some officer, whose business it is to prepare the reply, that a certain length of time has elapsed?—His business would be to keep a record of the correspondence between the Foreign Office and the Board of Trade, and to observe when inquiries have come and when they have been answered, and to act as a kind of remembrancer, to remind the department that certain communications are to be answered and certain steps taken.

2395. He would be very little more than a registrar?—Very little more.

2396. Do you suppose that there is no machinery of the sort in the Foreign Office now?—I prefaced what I said by stating that I am not aware whether there is or not; but I conceive that there would be great advantage in the creation of it, if it does not exist at present.

2397. You are generally familiar with the mode in which public offices carry on their work; is not it usual to have such a system of registration as will keep before the minds of the officers charged with the correspondence, the general state of all the correspondence?—I am not aware how things are managed in the Foreign Office; I know how the matter is managed in my own office. My private secretary keeps me informed of those things; the time at which letters arrive, and when they ought to be answered.

2398. If that were done in the Foreign Office, would that meet what you desire?—No; it would correct the tendency to delay, but it would by no means meet the exigency of the case.

2399. What more would you desire?—I should like to have direct communication with the sources of information.

2400. All that you want the clerk for is, that he should do what your private secretary does?—Yes, something of that kind.

2401. That reduces it to a very small matter, does it not?—Very small.

2402. There was one other point that you mentioned; you say that you have no communication now with the Indian Government; was not it formerly the case that the Board of Trade used to communicate with the Board of Control?—Yes, we did; and then there was this difference, that the Board of Control had the power of enforcing the advice which it communicated to the Board of Directors. We have no power of doing that.

2403. Sir *Minto Farquhar.*] Did that system work well, according to your notion, when the Board of Control had the power to enforce its advice?—Yes.

2404. It expedited matters?—Yes, I think so; I, myself, served as Secretary to the Board of Control for several years, and I know of several cases in which an objection of the Court of Directors to carry out the policy recommended by the Board of Control was overruled, and that policy was enforced.

2405. Mr. *Layard.*] I believe that the Board of Trade and the Foreign Office have always worked most harmoniously together?—Perfectly.

2406. There has never been any difference between us, has there?—None.

2407. During the time that Signor Marliani was in England, are you aware that there were frequent communications at the Foreign Office between Earl Russell, Mr. Milner Gibson, and Signor Marliani?—So I have heard.

2408. The Belgian Treaty was negotiated almost entirely personally between Mr. Milner Gibson, M. Van de Weyer, and Earl Russell, was not it?—Yes, I think Lord Donoughmore took part in it at the time.

2409. They were in personal communication, were they not?—Yes.

2410. *Chairman.*] When you say that you had heard of personal communications taking place at the Foreign Office between Earl Russell, Signor Marliani, and Mr. Milner Gibson, do you mean to say that you were informed that that was the case by Mr. Milner Gibson?—I cannot tell by whom I was informed, but I know that there were interviews which took place.

Martis, 21° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Pender.	Mr. S. Fitzgerald.
Mr. S. Beaumont.	Mr. Charles Turner.
Mr. Butler-Johnstone.	Sir Stafford Northcote.
Mr. Layard.	Sir M. Farquhar.
Mr. Milner Gibson.	Mr. Bazley.
Mr. Cobden.	Mr. Kinnaird.

WILLIAM EDWARD FORSTER, Esq., in the Chair.

Sir James Emerson Tennent, called in; and further Examined.

2411. Mr. *Layard.*] There is an impression among the commercial bodies in this country to which you allude in your evidence, that they are sometimes referred from one office to another, say from the Foreign Office to the Board of Trade, and backwards and forwards, and that they do not know which Department to go to. Do you think that that may arise in a certain degree from a want of not exactly understanding the duties which belong to each office?—I think that some time ago our relative functions were not so well understood as they are now. At present I understand the Chambers of Commerce have a perfect conception of the consultative functions of the Board of Trade and of the executive functions of the Foreign Office as being quite distinct.

2412. But it is a fact that those complaints still exist, because they have been laid before this Committee?—I believe they do exist still; but I think that the distinction between the two offices is perceived now more clearly than it was some short time ago.

2413. You understand the distinction, I presume, to be this: that abstract questions of policy are left to the discretion of the Board of Trade, while the action to be taken upon them is in the discretion of the Foreign Office?—Yes.

2414. Therefore, if the commercial bodies clearly understood the respective positions of the two offices there would be no cause for the complaint, as to their being referred from one office to the other?—I think not; but my belief is that the necessity for visiting both offices would still remain; because, although they might impress the propriety of action on the Foreign Office, knowing that the Foreign Office would consult the Board of Trade they would go to the one to set the Department in motion, but they would come to the other with a view to impress them with full information as to what was required.

2415. If, for instance, there came to Lord Russell a deputation asking him to put forward a certain article in the tariff, Lord Russell would tell the deputation that he could not answer the particular question, it being a question for the Board of Trade to decide?—That supplies an illustration of what I have been endeavouring to point out. Lord Russell would, in all probability, express his readiness to take action, provided the peculiar matter had the previous sanction of the Board of Trade.

2416. And, on the other hand, if a deputation went to you and asked you to press a certain commercial question on a Foreign Government, you would say you would have to communicate with the Foreign Office before giving them any answer?—I should.

2417. There would be no conflicting action between the two offices?—No, none.

2418. *Chairman.*] But still, it would leave things in this position, would it not, that they would go to the Board of Trade to obtain from them an opinion as to whether the information they had received should be acted upon, and then they would go to the Foreign Office to get the action realised?—Quite so.

2419. Mr. *Layard.*] Do I understand you to say that you do not see any way in which that state of things could be altered?—In reply to a former question, I have already stated my opinion that the double application would still have to continue to a certain extent.

2420. Mr. *Turner.*] But, still, that is felt by commercial men to be a great grievance, is it not? I do not know that it ought to be so felt.

2421. But is it not your experience that it is so felt?—They have so stated to us, but my previous reply goes to show that I do not see how, logically speaking, they will be able to divest themselves of that necessity.

2422. The different Chambers of Commerce, and parties in the country, go to the Foreign Office in the first instance, assuming that they are the parties with whom they ought to communicate, and then they are sent to the Board of Trade; are you not aware that the commercial community feel it is a very unsatisfactory thing that they should be so sent, first to one office, and then to another, to explain the business that they have in hand?—I rather think that the Honourable Member has inverted the ordinary course of action; the course which is most commonly taken, is to go to the Board of Trade in the first instance, and, having explained to the Board of Trade the nature of the proposition that they have to make, they get an assurance from us of our readiness to communicate with the Foreign Office upon the point; and if they go to the Foreign Office, it is for the purpose of impressing on them the propriety of the action which they have already ascertained the Board of Trade would recommend.

2423. *Chairman.*] Do you think that it would

Sir *J. E. Tennent.*

21 June 1864.

be more likely to further the objects they have in view if they were to come to your office first?—I think that it is likely that it would, because the more strongly they can impress the Board of Trade with the propriety of what they are about to recommend to the Foreign Office, the more likely they are to have the matter attended to when the Foreign Office takes the opinion of the Board of Trade.

2424. Mr. *Turner.*] But still it rests with the Foreign Office at last?—It does.

2425. Therefore, parties would feel generally that it is a matter of great importance that they should impress the Board of Trade with the importance to the commercial community of that which they desire to have carried out?—Yes.

2426. Mr. *Layard.*] The same kind of action would take place, would it not, with regard to all the public departments of the State?—Yes.

2427. In the case of a colonial matter, the parties would be referred to the Foreign Office first?—Yes.

2428. You suggest that there might be a registrar at the Foreign Office, whose duty it should be to see that the correspondence was regularly carried on between the two offices?—Yes.

2429. That refers to a departmental arrangement?—Yes. I will add why I think this necessary. The arrangement occurred to me in consequence of reading the evidence of Mr. Hammond, from which it appears that there is no individual officer in the Foreign Department whose functions are specially confined to matters of trade; but that with reference to each country the chief clerk under whose care the correspondence relating to that country is placed, takes charge of commercial along with political questions. It occurred to me, therefore, that delay might arise in collecting, from the officers in charge of the correspondence with these countries, the information required, and that that delay might be obviated if there were one clerk whose business it was, when a communication had been received from the Board of Trade requiring a reply, to see that the reply was promptly given.

2430. Are you of opinion that it would be desirable to have such an appointment, supposing it to be the view of all persons connected with the Foreign Office that it would injure the general efficiency of the office?—Then it would become a choice of evils, between which I do not feel myself competent to decide.

2431. It would be merely a departmental question?—Entirely.

2432. You are aware of the system of regulation observed in the Foreign Office: that a diary is kept in every division, in which are regularly entered all letters received or sent, with dates, and a short notice of the subject of them, and that, as soon as practicable, after the papers are bound in volumes, another such register is made in the Librarian's Department, with an index, as far as the staff of the Department admits of its being kept up; do you think that that is a good system?—I should think so.

2433. Have you the same system in the Board of Trade?—Not identically the same system.

2434. Should you not think that the fact of a diary being kept in the several divisions, where also the current papers are kept, affords greater facility for obtaining current papers than if they were to be at once deposited in the special register room, at the other end, as it might be, of the office?—Of that I cannot judge; our own registers are all kept in two divisions.

2435. Mr. *Butler-Johnstone.*] Would the duty of the new department, you suggest, be merely to register the official correspondence of other departments?—It would be more, as I stated on the former occasion, in the light of a remembrancer, for the purpose of enabling it to be seen that the correspondence was properly maintained.

Louis Mallet, Esq., called in; and Examined.

L. Mallet, Esq.

2436. *Chairman.*] How long have you been in the Board of Trade?—Seventeen years; I went there in the year 1847.

2437. You were in the public service before that time, I think?—Yes; I had been in the public service some years previous to that time.

2438. What was your first position at the Board of Trade?—I went in the first place as a clerk in the Statistical Department.

2439. Were you not private secretary to one or two Presidents?—I was at one time in the Commercial Department, and shortly afterwards I became private secretary to Mr. Labouchere, then President.

2440. And were you also secretary to either of the other Presidents?—At a later period, in 1855, I was secretary to Lord Stanley of Alderley.

2441. What is your precise present position at the Board of Trade?—I am called assistant for commercial business, and my duty is to assist Sir Emerson Tennent in that branch of the business which falls within his division.

2442. You have been at Paris two or three times, have you not, on questions connected with commercial matters?—I was Assistant Commissioner with Mr. Cobden, in a Commission which was appointed to carry into effect the French treaty in 1860. Since that time I have been several times in Paris; I can hardly call them missions, but I went there to assist Lord Cowley in making representations to the French Government on small matters of trade that had arisen between the two Governments; and last year, conjointly with Mr. Ogilvie of the Customs, I was a delegate at an International Conference on the Sugar Duties, which was held in Paris.

2443. Were you also sent by the Government to Berlin and Turin, on similar commissions?—I was sent to Berlin in the year 1862, to report on the position of the negotiations which were then going on between the two Governments with a view to a commercial treaty, and I was sent to Turin last year for a similar purpose.

2444. Will you be good enough to describe to the Committee the system of business as regards the relation of the Board of Trade to the Foreign Office?—I have been connected with the business in which I am now engaged for about 16 years, more or less, that is to say, a great part of the business has passed through my hands during the whole of that period. For a considerable time,

and

and until last year in fact, the business of the department, so far as the subordinate officers were concerned, was divided between another gentleman and myself, and it has only been within the last year that it has wholly passed through my hands. The Foreign Office division of the business has been in my hands in subordination to Sir Emerson Tennent for the last 10 years, ever since his appointment to the office of Secretary. As regards the Foreign Office business, the Foreign Office letters are brought in the morning to the registrar; the clerk whose duty it is to open those letters enters them in a register and affixes a minute paper to them, and they are then sent to the principal clerk or assistant in charge of the branch of business to which they relate; that assistant or clerk reads the papers, and makes a minute upon them, and according to his own discretion, he either advises what shall be done, or merely writes a short summary of the purport of each paper; it is considered to be competent to him, however, to give an opinion as to what should be done with each paper, and it depends upon the importance of it how far he exercises his discretion in that way.

2445. You are the chief clerk?—Yes; Sir Emerson Tennent reads the paper, makes his minute upon it and sends it to the President; the President then makes his minute and sends the paper back to Sir Emerson Tennent, who either executes the instruction he receives or sends it to me to execute, as the case may be.

2446. Then we are to understand that the communications between the Foreign Office and your division of the office pass through you and through Sir Emerson Tennent?—Yes, all those which have no reference to the executive functions of the Board of Trade.

2447. And through no one else?—No.

2448. Supposing him and yourself to be present?—Yes.

2449. Has there been any change in the relation of the Board of Trade to the Foreign Office during the last 10 years while you have been in the position you hold?—There has been a considerable change in several respects; perhaps "considerable" is too strong a word to use, but there has been a change in the practice.

2450. In what has that change consisted?—During the earlier part of my connection with the Board of Trade, the Board of Trade certainly took a greater share in commercial negotiations than it has done in recent years. It was the practice during Lord Palmerston's administration at the Foreign Office, so far as my own knowledge is concerned, whenever negotiations for a commercial treaty were commenced, that were to be carried on in London, to refer the negotiator to the Board of Trade for communication with the President on the details of the negotiation. I might mention the case of the Belgium treaty in 1851 and the Peruvian treaty in 1850, and also a negotiation with Greece in 1851 or 1852, on all which occasions the Minister came to the Board of Trade and negotiated personally with the President; of late years that has not not been the practice; all such negotiations, so far as I am informed, have been carried on at the Foreign Office; the Board of Trade have been more or less in communication with them on the subject, but they have been carried on in the Foreign Office instead of in the Board of Trade.

2451. Then the practical change you have observed has been that the Board of Trade has taken rather a less active part in what may be called foreign commercial business?—Decidedly.

2452. And has that change been contemporaneous with an increase of the executive duties of the Board of Trade?—It has, and that has arisen, in my opinion, to a considerable extent, from the great addition to the executive functions thrown upon the Board of Trade of late years.

2453. Is that by the increase of railway business and mercantile marine business?—Yes, more especially the Merchant Shipping Acts and the Railway Acts.

2454. You are aware, I suppose, that complaints have been made by Chambers of Commerce and by mercantile gentlemen throughout the country against the present organization and relation between you and the Foreign Office?—I have heard of a great many complaints.

2455. One of those complaints is grounded, you are aware, on the supposition that such information as you are expected to give to the public with reference to foreign commerce is supplied too slowly to you by the Foreign Office; do you think there is any ground for that complaint?—I think that information on questions which it is important to communicate to the public, the earliest intimation reaches us very often too late for useful publication.

2456. What information do you consider you ought to give to the public on commercial matters?—We consider that we ought always to make public any law or regulation of a public kind, and any public Act of a foreign Government which effects a change in the commercial laws of a foreign country affecting British trade.

2457. Do you get that information from any other source than the Foreign Office?—No; that is to say, strictly speaking, we do not consider ourselves justified in making public the information which we receive from any other source but the Foreign Office. The Foreign Office has, on being asked the question, expressed a wish that as a rule we should not make public any information which may reach us in any other way except through them; and as a rule we observe that principle. I cannot say that we have not deviated from it on certain occasions. If we see in the French "Moniteur," or in any official paper that we are in the habit of taking in, which is in fact the official organ of a foreign Government, decrees or other information which we consider important with reference to trade, and which ought at once to be communicated, we do occasionally insert notices in the "London Gazette" of such decrees as will give the public that information which we think they ought to possess.

2458. Is the Committee to understand your opinion to be that no information with regard to the proceedings of foreign Governments that have not already been published abroad, should be given by you unless it has been first obtained from the Foreign Office?—Certainly not; we should never make public any information not of a complete kind, or which was not a law of a foreign Government, or a public Act. We should not publish, for instance, information obtained from a Foreign Minister that it was intended by a foreign Government to make a change in their laws.

2459. You speak of publishing what you see in the "Moniteur;" are we to understand from that that you obtain information from the "Moniteur" earlier

L. Mallet, Esq.
21 June 1864.

earlier than it is communicated to you by the Foreign Office?—Frequently.

2460. That would be an illustration of the suggestion that the Foreign Office is slow in giving you information?—No doubt; it is one of the strongest points; and what I say with regard to the French "Moniteur" equally applies to other countries. It applies to the Belgian "Moniteur," for instance. In these two cases, and with regard to the French "Moniteur" more particularly (which is a paper that we are in the daily habit of reading and examining), we frequently find notices of laws promulgated by the French Government which have not reached us through the Foreign Office, and which do not reach us sometimes till several days later. Those decrees, as a rule, we have till lately inserted in the "Gazette," without waiting for a communication from the Foreign Office; but latterly the Foreign Office have expressed an opinion against that course, and we have been rather hesitating as to the course to be pursued in future. I may mention one fact which will satisfy the Committee as to the substantial grounds that exist for the opinion which I have expressed with reference to the tardiness of the communications which we receive from the Foreign Office. The Committee is aware that there is a Return, prepared annually for Parliament, containing all changes that have been made in foreign tariffs during the year, and there is another Return prepared by the Statistical Department of the Board of Trade, and I am informed by the gentlemen who prepare that Return, that so little can they rely upon the promptness and completeness of the information that is furnished to them through the Foreign Office, that they never think of referring to those documents for the purpose of compiling their Return, but that they compile their return from the "Annales du Commerce," a publication which is prepared by the officers of the French Minister of Commerce, and which professes to give a review of all the most important commercial transactions of the previous year; and also from the "Moniteur," and other official papers, and any other authentic and reliable sources that the officers of the department think they may safely use for the purpose of preparing their Return.

2461. Have you read Mr. Behrens's evidence?—Yes.

2462. Is the "Annales du Commerce" the publication that he alludes to in his evidence?—I believe it is.

2463. Then are we to understand that the arrangement between you and the Foreign Office is that you shall only give even this public information upon the receipt of it from them, but that occasionally, when you obtain earlier information from other sources, you do in fact publish it?—Yes.

2464. But it is not your duty to do so?—The duty is a matter of discretion. I scarcely know what the Board of Trade would consider to be its duty in such a matter.

2465. Your department is not expected to obtain yourselves that information, but you are expected to obtain it from the Foreign Office?—Certainly.

2466. Do you find it at all necessary to test the accuracy of the information that is given to you by the Foreign Office upon these matters, by reading the "Moniteur" or the "Annales du Commerce," or any other foreign publications?—I think that the information that reaches us through the Foreign Office may generally be relied upon; when a Minister sends us a despatch, he generally sends us the body of the decree, or the information is in such a shape as to be perfectly conclusive and satisfactory. Of course it may happen occasionally that there is some question on which we require further information; but, as a rule, the information reaches us in such a shape that we can entirely rely upon it.

2467. What do you do with this information when you get it?—Publish it in the "Gazette."

2468. How long have you done so?—I think it has been the practice to publish this sort of information in the "Gazette" about 10 years, not before that time; I know that the practice did not exist when I first went to the Board of Trade. At first it was not the practice to publish this information in the "Gazette."

2469. Are you aware whether similar notices are published in the "Moniteur" in France?—In the "Moniteur" they are published regularly. As to foreign changes, they are not; in cases of international Acts, as, for instance, if France concludes a treaty with Belgium, that treaty and the laws to give it effect would be published in the "Moniteur;" but I do not think that the "Moniteur" would contain a law proclaimed by the English or Belgian Governments, for instance.

2470. Is it your opinion that the "Gazette" is the best mode of publication?—The "Gazette" is a publication which seems to me very ill adapted for the purpose in one respect, and that is that it only appears twice a week; it is only published on Tuesdays and Fridays, except on special occasions, and consequently when we receive notice of a law which we think it important to make public, if it reaches us on the Monday evening late or on Tuesday morning, we are obliged to wait until the following Friday before we can put a notice of it in the "Gazette." That is a great inconvenience, and it is one great cause of delay in the publication of these notices, and there is no doubt that the double action of the two departments increases the delay.

2471. Do you think you would be able to get this information that you are expected to give to the public, and that you would be able to give it to the public quicker if your department were in communication with the consuls and with our Ministers abroad?—I think that if our Ministers abroad were to send their communications direct to the Board of Trade, it is obvious that much time would be gained; under the present system, for instance, supposing a despatch reaches the Foreign Office, containing a fresh law, on a Monday afternoon; that despatch is sent to the Board of Trade that very day, and reaches us on the Tuesday, but too late to insert it in the "Gazette" of that day; it therefore cannot appear before Friday; whereas, if that despatch had been sent to the Board of Trade direct we should have received it on the Monday, and it would have appeared in the "Gazette" of Tuesday.

2472. Do you feel also that you would be more sure of obtaining full information if the communications were made to you direct?—I think that, on many occasions, we should; for instance, it very often occurs that we do not receive official information with regard to changes in the laws of foreign countries, of which we are cognizant from private sources; I think that if the Board of Trade were in direct communication with the Ministers abroad, the Board of Trade being cognizant of the fact that those laws were in progress or were in effect,

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we should certainly have the means of obtaining information more readily and more completely than we do under the present system. I may mention that the French Government during the last year has been engaged in legislating with regard to the sugar duties; that is a question of peculiar interest to the Board of Trade at present, in consequence of the International Conference which was held last year in Paris. I do not think that, until a very recent date, any information as to those changes in the law has reached us through the Foreign Office, and if the Board of Trade had been in communication with the British Embassy in Paris, we should certainly have received much fuller information than that which we have received.

2473. Your late answers apply to the communication of information which you publish; I suppose you also receive many communications from the Foreign Office, upon commercial matters, respecting which you are consulted, and asked for your opinion?—No doubt we do.

2474. What is the mode in which those communications come to you?—Those communications usually come to us in the shape of a letter from the Secretary of State, transmitting certain papers, and requesting the opinion of the Board of Trade upon them.

2475. It has been stated in the course of the evidence, that it is supposed that you do not always receive sufficient information upon which to base your opinion; do you think there is any ground for that supposition?—I think it has happened in cases within my knowledge, that the opinion of the Board of Trade has been asked on certain questions by the Foreign Office; of course I can only speak with reference to cases in which the permanent officials have been called on to give advice; the President may possess information that the permanent officials do not possess, and he very often does; I merely speak as to the attitude of the permanent officials when they are called on by the President to give an opinion on papers referred to him by the Secretary of State; certainly, in that limited sense, it is constantly felt both by Sir Emerson Tennent and myself, that we do not possess sufficient information on questions referred to us to enable us to give the President a conclusive or a satisfactory opinion on the papers submitted to him.

2476. Do you think that that is because the Foreign Office does not get the necessary information, or because they do not give it to you?—That is a question that I really cannot answer; I am wholly unacquainted with the communications which pass between the Foreign Office and their agents in foreign countries; I can merely speak with reference to the information that reaches the Board of Trade.

2477. You are in the habit of getting a great deal of information, are you not, on matters affecting foreign trade from merchants and commercial bodies at home?—We are in the habit of receiving a good deal of information from private merchants and commercial bodies in England. It has been the practice for the Board of Trade, in recent years, to consult Chambers of Commerce and other commercial bodies on all commercial questions from time to time; and they have always, with the greatest readiness and cordiality, afforded to the Board of Trade every information it has been in their power to give, with reference to trade with foreign countries, and very much valuable information has reached us in that way.

2478. Is it your opinion, that either by their coming to your office and giving you information, or by your seeking information from them, your office is fully informed with regard to the wishes and interests of merchants at home?—I think so: I think that if it is not informed on every point in that respect it is the fault of the Board of Trade; there is no reason why we should not be informed, it has every means of obtaining all information that it is possible to obtain from commercial bodies and individuals at home, as to their wishes and opinions, with reference to any particular branch of foreign trade.

2479. You are aware, are you not, that one complaint made by merchants is that when they give you information they do not receive an equal amount of information from you, as to the state of things abroad. Do you think there is any foundation for that complaint?—So far as the Board of Trade is concerned, I think there is very great foundation for it indeed; speaking from my own experience, I may say that it constantly happens to me, when merchants come to me for information as to what is going in foreign countries, or as to whether I have heard anything which can in any way confirm information that they have received from private sources, I am wholly unable to give them that sort of information that they expect to obtain; whether or not that information may be within the knowledge of the President is a matter to which of course I cannot speak. I can merely speak as to the information possessed by the permanent officials, and confining my answer to that point, I answer that it is constantly the case that we do not possess that kind of information as to what is passing in foreign countries that they expect to receive when they come to us.

2480. If your office were allowed direct communication with our Ministers abroad, do you not think there would be less probability that the complaint which they made of not having sufficient information afforded to them would be well founded?—I think so.

2481. Mr. *Layard.*] When you speak of Ministers abroad, you mean our Ministers abroad?—Yes; the British Ministers abroad.

2482. *Chairman.*] Are you aware whether the information that is obtained by the Foreign Office by means of private correspondence with our Ministers abroad, or by private communication with Foreign Ministers in London, is sent to your office?—I cannot recollect any case in which information of a private kind which has been communicated by the Foreign Office to the Board of Trade has been communicated to the permanent officials: there may have been an occasional case of that kind, but as a rule I should say certainly not.

2483. Then the permanent officials at the Board of Trade have not the advantage of being aware of the private information which has been communicated to the Foreign Office on commercial questions?—I cannot say what amount of private information there may be, or whether it exists at all; I can only speak to the fact that it is only on very rare occasions that private information obtained by the Foreign Office from their own agents is communicated to the permanent officials of the Board of Trade.

2484. With regard to Foreign Ministers in London, is your office in communication with them?—There may be private intercourse between the President and Foreign Ministers; of

L. Mallet, Esq.
21 June 1864.

that I know nothing; but as regards the Department of the Board of Trade it is very rare; it occasionally happens that members of foreign missions come to the Board of Trade for information; I myself occasionally receive letters from Secretaries of Legations, and from Ministers who ask a question on a matter of trade, or who wish for immediate information; but that is a thing of very rare occurrence.

2485. They come to you, but do you go to them at all?—Very rarely; we have occasionally written to an Embassy to ask if they possess a copy of a certain work or publication or law, but those communications are very exceptional and very rare.

2486. Do you think it would be attended with advantage if you had freer means of communication with them?—I think there might be occasions on which it would be of great advantage that we should have freer and more systematic communication with Foreign Ministers in London.

2487. You have been at Paris and at Berlin once or twice, and in those visits I suppose you must have been brought more or less in contact with the Ministers of State of foreign countries with reference to commercial matters?—I have.

2488. Did you find that those Ministers were generally very well informed not only on the principles of those questions, but also with reference to details?—I found some of them exceedingly well informed, and others very imperfectly informed indeed; in the case of M. Router, of Paris, with whom I had most to do, I found that his knowledge of all details of trade was of a very remarkable kind indeed.

2489. Have you been brought in contact with M. Van de Weyer?—Yes, I have often communicated with M. Van de Weyer on matters of business; I had a great deal of negotiation with him with reference to the Belgian treaty in 1851; he was in constant communication with the Board of Trade, and a great deal of intercourse took place between us.

2490. But not in the negotiations which took place in 1861 and 1862?—Personally, I did not see him in the course of those negotiations.

2491. Did the knowledge which you gained of him give you the idea that he was well acquainted with the details of trade?—He gave me the impression with regard to the particular matter then in hand, that he had certainly mastered the details of it with very remarkable skill and power.

2492. A long negotiation with regard to the last Belgian treaty of which we have the correspondence here so far as it was conducted in England, was conducted entirely at the Foreign Office, was it not?—I cannot say.

2493. Supposing M. Van de Weyer to be well informed as to the details, is it not the case that there would be no one at the Foreign Office who could be expected to have the same information that he had with regard to those details?—I can only judge as to that from Mr. Hammond's evidence, which I read the other day, and he appeared in his evidence to say that it was not considered to fall within the province of the Foreign Office to be intimately acquainted with the details of these commercial questions.

2494. Mr. *Layard.*] When those communications, to which reference has been made, took place personally between M. Van de Weyer and Lord Russell, was not Mr. Milner Gibson always present?—I believe so. I was merely speaking with reference to communications between foreign Ministers and the Department of the Board of Trade; I believe that the President was always present at the conferences which were held at the Foreign Office.

2495. I presume you are of opinion that the President of the Board of Trade is well informed with reference to details?—No doubt.

2496. *Chairman.*] I suppose M. Van de Weyer never sought an interview with the permanent officials of the Board of Trade, with reference to that treaty?—I cannot answer that question. He had no communication with me.

2497. I think I gather from your answers, that you feel that it is difficult for you, in some cases, to give a complete and satisfactory opinion on questions on which your opinion is asked by the Foreign Office, in consequence of the want of sufficient information?—Yes. Cases not unfrequently arise in which the permanent officials of the Board of Trade find great difficlty in giving an opinion because of the absence of that full information which it might be possible for them to acquire by means of a free communication with foreign Ministers and consuls.

2498. Did you find that to be the case with reference to the Italian treaty, with regard to which we have the correspondence here?—I did.

2499. I suppose you have seen the correspondence which has been laid before the Committee between your office and the Foreign Office with reference to the Italian treaty?—I have.

2500. I find in a letter of the Board of Trade of 18th February 1862, that your office appears then to have been unaware of the position of our Government in relation to the Italian question as regards that treaty, and also of the results of Sir John Bowring's mission in 1860; and I find that so long afterwards as 30th June 1863, there is another letter from your office to the Foreign Office, at the end of which you appear still to be in doubt as to what is the intention of the Italian Government. Is it the fact that you felt yourselves really without information as to their intentions during most of that time?—As regards my own case, certainly; so far as I am aware, the other permanent officials of the Board of Trade never clearly understood the basis on which the Italian Government would be prepared to negotiate. The Italian Government on one occasion (as appears from the correspondence) made a proposal to the British Government for a reduction of some of the duties in the British tariff; that looked as if they would only be prepared to make further concessions to the British Government in return for reductions which they desired to have made in the British tariff over and above what had been made to France. That was the question which the Board of Trade had to consider. They had to consider whether it was possible to obtain from Italy anything more than what had been given to France, or whether it was necessary for the British Government to be satisfied with the most favoured nation treatment. That was the principal question that the Board of Trade had to consider.

2501. When did you go to Turin?—I went there about the beginning of June, or the end of May; I think it was the end of May 1863.

2502. By which office were you sent to Turin?—I was sent, so far as I understood, by the Foreign Office; I was paid by the Foreign Office, and I received instructions to go from the Foreign Office;

Office; not instructions of a formal kind, but a private intimation.

2503. Mr. *Layard.*] You were sent by the Board of Trade at the request of the Foreign Office, were you not?—I understood that the mode in which it was done was this: that the Foreign Office wrote to the Board of Trade to request that my services might be placed at their disposal; the Board of Trade were pleased to say that that should be so; and I was then sent as I understood by the Foreign Office.

2504. Has the Foreign Office power to send one of the staff of the Board of Trade abroad, without consulting the President?—No; I was under the impression that the Foreign Minister might request the President of the Board of Trade to place under his orders, for a particular mission, one of his own officers, and that I was accordingly so placed; that was my impression.

2505. Virtually your orders would come from the head of your department, the President, would they not?—That I hardly know; it never occurred to me to investigate that point closely as a matter of official arrangement.

2506. Sir *Stafford Northcote.*] With whom did you correspond?—I had no official correspondence on the subject.

2507. Mr. *S. Fitzgerald.*] From whom did you receive your instructions, or were no instructions given to you?—I was sent out for a particular purpose; in fact, my instructions were contained in a letter to the Board of Trade from the Foreign Office, suggesting the purpose for which I was to be sent out; I had no distinct official instructions, except verbally. I was told that I was sent out to endeavour to do what was suggested in that letter.

2508. Mr. *Butler-Johnstone.*] With whom did you communicate on your return?—With the President of the Board of Trade.

2509. Mr. *Layard.*] I had the pleasure of seeing you once or twice I think, had I not?—Yes; I went to the Foreign Office also; I had forgotten that.

2510. *Chairman.*] When you arrived at Turin did you find that you soon obtained the information you were previously in want of?—When I arrived at Turin, I immediately discovered that the Italian Government were not prepared to make any further concessions whatever, beyond those which had been given to France, and that it was hopeless to expect that they would do more, at that time, than give to Great Britain the most favoured-nation treatment.

2511. Would the result of your mission to Turin, give you the impression that if your office had been in direct communication with Sir James Hudson, or with his staff at Turin, you would have known the intentions of the Italian Government better, and at a much earlier time?—My own impression, which rests on my own knowledge alone, as I know nothing of the private communications passing between the Governments, is that if the Board of Trade had been in direct communication with Sir James Hudson in that negotiation, the Board of Trade, or the permanent staff at all events, would have known at an earlier period the exact position taken by the Italian Government, and the basis on which they were prepared to negotiate.

2512. I find that in a letter from the Board of Trade to the Foreign Office, dated February 1862, which is almost the first letter in this correspondence, your office expresses its apprehension, that if during the revision of foreign tariffs, which appears to be the inevitable consequence of the policy which has been adopted by France, British interests are not carefully watched and strongly represented, an opportunity may be lost which may not be recovered for years; and you give the idea that the time for making representations, is while the Italian Government is in communication with France; and I find again, in your letter of 3d February 1863, in which you give your reasons for preferring the tariff which you had sent in several months before to the tariff forwarded by Mr. West, you again express this fear; did you find, or had you reason to believe when you arrived at Turin, that that fear had been well founded?—That is a question to which I am not able to give a decided answer. I have no means of knowing whether if representations of a specific kind had been made at an earlier period, they would have been attended with a better result. I merely know that at the time when I went to Turin, the Italian Government were evidently unwilling and unprepared to do what was desired; and it was impossible at that time to induce them to do it; whether at an earlier period they would have been induced to do it or not I cannot say; but looking at the thing abstractedly, there would no doubt be a greater probability of obtaining reductions in the tariff, before negotiations between two foreign Governments for a treaty, involving a complete revision of their respective tariffs, than at the close of those negotiations, when the tariffs had been arranged, and when the duties which had been fixed had become more or less known.

2513. The duty upon jute was one of the questions as to which you were requested by the Government to make representations to the Italian Government, was it not?—It was.

2514. The complaint which was made by the manufacturers in England was that jute was put in a worse position than linen, was it not, and that the duty upon jute was greater *ad valorem* than the duty upon linen?—The complaint, so far as I recollect it, of the jute manufacturers, with regard to the Italian tariff, was, that jute was taxed relatively higher than linen.

2515. When you made those representations, were you informed by the Italian Government that they could not comply with your requisition, because they must consider the interests of the jute manufacturers in Italy; or did they say that they could not comply with it, because they could not at that time re-open the revision of their tariff?—I think the grounds of their refusal, so far as I am acquainted with them, rested principally on the argument that the Chamber was very hostile already to the reductions that had been made in favour of France; and that any further change, however unimportant, as affecting that particular industry, would, nevertheless, be seized on as a sort of rallying point by all the commercial classes interested in protection, and endanger the passage of the French tariff.

2516. Mr. *Layard.*] Had the Italian Government revised their tariff at that time?—At the time when I went to Turin, the tariff annexed to the treaty with France had been completed.

2517. But that was only a change in the tariff with the specific object of carrying out the French treaty?—I hardly know what you can call a revision of a tariff. It does not neces-

sarily involve a change in all the articles in the tariff. It was so far a revision of the Italian tariff, that the Italian tariff was recast in some particulars; a considerable number of changes were made, but the general character of the tariff was unaffected by them.

2518. Did the Italian Government state to the British Government that they were going to revise their tariff?—That was subsequent to the treaty.

2519. Did they not inform the British Government that they were going to revise their tariff, and is it not the fact that that revision has not yet taken place?—I was told that it was their intention, when they had concluded their treaties with the principal countries, to recast their tariff in many particulars, and, in point of fact, to revise it, and that when that operation took place, they would be happy to receive communications.

2520. Then the words "revision of the tariff," did not apply to alterations under the French treaty, but to a general revision of their tariff when they could deal with all nations?—Yes.

2521. *Chairman.*] With regard to that question, is it not the case that the treaty between France and Italy applied to almost every article of export from or import into Italy?—So far as I am informed, the tariff annexed to the Italian treaty did not include one important article of export, namely, rags; but, with that exception, I am not aware that there was any other; in fact, it was the isolated nature of that exception that raised a great doubt in the first instance, whether the export duty on rags had not been abolished altogether.

2522. Am I right in supposing that, in order that that treaty should be concluded, it was necessary that the Italian Government should go through the whole of its tariff?—No doubt they went through the whole of their tariff item by item; the general principle of the negotiations between France and Italy was that Italy should not let her duties go below the level of the new French tariff, and, therefore, whenever they found that their tariff was much lower than the French tariff, they left their duties untouched. Whenever a case arose in which the Italian duties were higher than the French duties, or when the French Government attached importance to their being greatly reduced, those duties were reduced by the Italian Government.

2523. In your letter of the 18th February 1862, you express your apprehension that, during the revision of the foreign tariffs, which appear to be the consequence of the French policy, British interests may not be carefully watched; was it such alterations as were necessary for the Italians to make to conclude that treaty that was meant in that letter by the term "revision"?—No doubt that was so, as far as my knowledge goes.

2524. Mr. *Layard.*] What do you suppose the Italian Government meant when they talked of the revision of their tariff as a matter to be dealt with at a subsequent period?—I think they meant a general revision, or a further revision; I think they revised their tariff in order to make their treaty with France; and I think they intended, and I hope they still intend, to revise their tariff with a view to rectify inequalities and inconsistencies, and to make it a still more liberal tariff than it now is; I think that in both cases the word "revision" may be used, and that it is very applicable.

2525. *Chairman.*] When you were informed by the Italian Government that they could not comply with the representations of our Government, because of the feeling in the Italian Chamber, did you understand that to relate to the particular interest of jute, or to the general question of a commercial arrangement with France?—I do not think their objection rested on the ground that there was any interest in Italy which would have been injuriously affected by a low duty on jute, for there is no such thing as a jute manufactory in Italy; it was on the general question of reduction.

2526. Mr. *Layard.*] Did not the jute manufacturers come into competition with the linen manufacturers?—To a certain extent they did; but that objection certainly was never put forward by the Italian Minister in his communications to me; the argument that was used was, that they would not make further reductions to England without some corresponding concession being made on the part of the British Government at that time.

2527. *Chairman.*] Is it not the fact that the tariff in the Franco-Belgian treaty was, generally speaking, the basis of the tariff in the Franco-Italian treaty?—The Franco-Belgian treaty contained two tariffs, one the French tariff on imports from Belgium, and the other the Belgian tariff on imports from France.

2528. Did not the Italian Government take, as the basis of their duties levied upon French goods, the duties levied by Belgium upon French goods, generally speaking?—I think not; the principle of the Italian Government, in their tariff, was to leave untouched their tariff on all items in which the duty was lower than it was in the French tariff; in cases where they were higher, or where the French Government had special interest in getting further reductions, they reduced them considerably below the level.

2529. Was it not the case that the duties levied upon French linen were left as they were before the treaty was concluded?—I believe they were, speaking generally.

2530. And that they were lower than the duties levied by the Belgian Government upon French linens?—I believe so.

2531. Was it not the case that the duties levied upon jute goods were the same as the duties levied by Belgium upon French jute goods?—I believe not; I believe that the duties levied by Italy on French jute are the same duties as are levied in France on Italian and English jute; I believe that what the Italian Government did was, to take the French tariff as regards jute, and incorporate it in their own.

2532. I see that in the particulars of the proposed tariff between France and Italy, forwarded by the Foreign Office to you in 1862, the duties upon linen are said to be in the new tariff a certain rate which is now the rate; but it is stated that the rate upon jute is not yet determined; are you aware of that?—I am.

2533. Do you not suppose that if the Italian Government had been informed at the time they were concluding their tariff with France of the position of the jute trade, they would, in all probability, have put jute upon the same terms as linen?—That I cannot say; I think there is a great probability that if a representation had been made at that time it might have been successful; it certainly would have been a favourable moment to make such a representation, but whether

whether or not they would have acted upon it, I cannot say.

2534. At any rate you never heard, during the whole course of your communication with them, of any jute interest in Italy?—No; that objection was never raised to my knowledge.

2535. You were also at Berlin; what was the object of your visit to Berlin?—I was sent to Berlin to report on the disposition of the Berlin Government with reference to the negotiation of a commercial treaty with this country.

2536. When you got there, did you find the negotiation concluded, so far as the arrangement of details with regard to the tariff was concerned?—Do you mean the negotiation with France?

2537. Yes?—Very nearly; there were a few minor items unsettled; but it was practically completed.

2538. Were you informed that it was too late to make suggestions with regard to alterations?—I was told that the Prussian Government could not, at that time, entertain the suggestion of tariff reductions in a treaty with this country.

2539. Mr. *Layard.*] When you say that they could not at that time entertain the suggestion, do you mean the Committee to infer that, at a previous time, they could have done so?—No intimation to that effect was given to me; I will leave out, if you please, the words "at that time;" I merely meant by what I said to refer to that particular time, not being informed as to any former period.

2540. *Chairman.*] With regard to the Italian Treaty, you have informed the Committee that you consider there was some want of information to guide the Board of Trade in giving their advice to the Foreign Office; do you consider that that was an exceptional case, or do you find that it is not unfrequent that you do not obtain sufficient information?—The same kind of difficulty has arisen in other cases that have come to my knowledge, and I think it is a result which is scarcely to be avoided under the present system.

2541. Do any other instances occur to you?—I could mention other cases in which the same difficulty has arisen, but I am not aware how far I should be justified in doing so without the distinct authority of the President of the Board of Trade; several of the negotiations on which these questions have arisen are still pending, and I have been informed that the Government has not thought it desirable that the correspondence relating to those negotiations should be at the present time submitted to the Committee; and that being so, I am not in a position to give the substance of them, and I could not read the documents themselves without the distinct authority of the President of the Board of Trade.

2542. I will go back to a treaty which was concluded long ago; were you in the Board of Trade at the time of the conclusion of the Reciprocity Treaty between the United States and Canada?—I was.

2543. Sir Emerson Tennent has informed me that he believes the Board of Trade was not consulted with regard to that treaty; do you think he is right as to that?—The Board of Trade was not consulted with regard to that treaty until the whole of the principles and details had been settled.

2544. Mr. *Kinnaird.*] Can you tell us what was the date of the treaty to which you refer?—I think it was in 1854 or 1855.

2545. *Chairman.*] Did not that treaty levy differential duties on British imports into Canada as against imports into Canada from the United States?—It rather exempted certain imports from the United States from all duty as against similar British produce.

2546. Then the result was, that favour was given to United States imports as against British imports?—Certainly.

2547. Mr. *Cobden.*] That was with reference to raw produce, was it not?—Yes, it was with reference to raw produce entirely.

2548. *Chairman.*] Was it not, therefore, a departure from the principles of free trade, and a departure from those principles to our disadvantage?—There is no doubt that it was a departure from the strict principles of free trade which had been adopted by the British Government; it was defended on the ground, that although it was a departure in theory it could scarcely be called a departure practically; but it has been found nevertheless that it has given rise to difficult and troublesome questions in which the same principle has been involved.

2549. Then, if it be the case that the Board of Trade is consulted by other departments of the Government because it is supposed to be best acquainted with the principles of free trade, was not that precisely a case in which, in your judgment, the Board of Trade ought to have been consulted?—It appears to me to have been pre-eminently a case in which the Board of Trade ought to have been consulted: it was a case in which a great principle was concerned, and if the Board of Trade is to exist at all, it was, I think, a case in which they ought to have been consulted, otherwise there would be no use in the existence of such a department.

2550. Did you hear Sir Emerson Tennent state that the Board of Trade was not consulted with regard to the French treaty before it was concluded?—I must remark that in all these cases I speak of the Board of Trade as a department; of what may have passed between the President and the Government, of course I know nothing; but as to the Department, it certainly was not informed either in the case of the Reciprocity Treaty, or in the case of the French treaty, until those Acts had been completed.

2551. Are you of the same opinion as that expressed by Sir Emerson Tennent, that if our Government had communicated with Spain and Portugal at the time they communicated to France their intention of reducing the duties on wines, for example, it would have been more probable than it is now that we might have obtained a reduction of the Spanish and Portuguese tariffs?—As a question of personal opinion, I should say so; but I have no knowledge as to the feelings and intentions of the Spanish or Portuguese Governments. I should have been inclined, however, to think that they would have been more disposed to make concessions at that time than at a later date.

2552. Is the Committee to understand that an opportunity was given to the permanent officials of the Board of Trade, whose business it is to make themselves acquainted with the trading interests of the country, to express such an opinion to the Board of Trade, and through them to the Government?—Not until after the conclusion of the treaty; such communications were made to them, but they were made subsequently.

L. Mallet, Esq.

21 June 1864.

2553. They were made subsequently to the conclusion of the treaty with France?—Yes.

2554. And subsequently to our Government having decided to give other countries what had been given to France?—I cannot say whether suggestions may have been made before final action had been taken; I am not informed, as they would be private suggestions.

2555. With regard to the Italian treaty, did you see Signor Marliani when he was in London?—No, I never saw him.

2556. Do you remember a memorandum being sent by the Foreign Office to your office on the 7th of June 1862, signed by Signor D'Azeglio and Signor Marliani?—I do.

2557. That memorandum suggests that there should be a reduction of the duties levied in England upon certain Italian produce?—Yes.

2558. And the Foreign Office asked your office what reply should be given with reference to those points; did you feel that you could not give such a reply without consulting the Treasury?—Certainly; the Board of Trade never expresses an opinion as to the expediency of a reduction of duties in the British tariff without the authority of the Treasury.

2559. And was the Treasury consulted in consequence?—The Treasury was immediately written to by the Board of Trade, who asked to be informed whether they considered that those propositions could be entertained.

2560. I find no allusion in this correspondence to any reply, was there none made?—A reply was received, but at a much later date; it was not received until after Signor Marliani had returned to Italy, and, therefore, no action was taken upon that reply.

2561. Then, in this case, three offices were at work. The Foreign Office instead of communicating direct with the Treasury sent you a letter which you sent on to the Treasury, and you were so long in getting a reply that Signor Marliani had returned to Italy before you got it?—That was the case.

2562. What communications has your office with the Treasury now?—They are of a very limited character indeed; they are confined principally to mere formal communications. It is the practice of merchants whenever they meet with any difficulty in their transactions with the British Custom House to complain to the Board of Trade; they apply to them to represent their interests as against the Revenue Department; the Board of Trade on receiving such applications are in the habit, in some cases, where further information appears to be required, of referring to the Custom House in the first instance for a report before going to the Treasury; on receiving that report, if it be satisfactory to the Board of Trade, and if it convinces them that the merchant applying has no case, no further action is taken; but if, on the other hand, the answer of the Custom House is not considered satisfactory, a representation is then made to the Treasury requesting them to consider the case, and to remedy any injustice that may be found to exist.

2563. Does the Treasury consult your office now on tariff changes?—Never. It has come to my knowledge privately that a communication of that sort has been made by the Chancellor of the Exchequer to the President of the Board of Trade on several occasions, but officially within the last ten years I do not recollect any case in which on the eve of a tariff change in this country, the Treasury has consulted the Board of Trade. Mr. Gladstone effected a large change in the British tariff within that period, both in 1853 and 1854, and at the time of the French treaty in 1860; but on none of these occasions, to my knowledge, was the Board of Trade consulted, either with reference to details, or with reference to principles.

2564. It appears, from debates that have taken place in the House as to the constitution of the Board of Trade, that at one time the Treasury used to consult the Board of Trade on matters affecting trade, in like manner as the Foreign Office now consults you on foreign commercial matters?—I believe that to have been the case. That is the tradition of the Board of Trade. I was not in the Board of Trade during the revision of the tariff under Sir Robert Peel; but I believe that was the case. Mr. Gladstone was at that time President, and Mr. Macgregor was the Secretary, and had a very large share in those changes.

2565. Do you suppose that the Treasury do not consult you, not in consequence of their not feeling a necessity for obtaining information, but because they obtain the information in their own office?—I believe so.

2566. Was not your office consulted by the Treasury, or by the Chancellor of the Exchequer, with reference to the sugar duties a year or two ago?—Last year a question arose as to the British Government taking part in an International Conference which was held at Paris, with a view of arriving at a common understanding with regard to a drawback in the four great refining countries, England, France, Holland, and Belgium; and at that time the Chancellor of the Exchequer consulted the Board of Trade as to the expediency of taking part in that Conference.

2567. Did you not receive information with regard to that from the Foreign Office?—I think not. I think the information reached the President privately, but I do not think that we had any official information. We had a communication from the Foreign Office, I know; but whether the information reached us from the Foreign Office or from the Chancellor of the Exchequer, I cannot speak positively.

2568. You were not, in the usual way in which, with regard to matters affecting trade, you receive information, informed of this Conference by the Foreign Office?—I think not.

2569. Were you sent over to Paris to assist at that Conference?—I was.

2570. How was the Conference constituted; who did you find there, and representing what countries?—We met representatives or delegates from Holland and Belgium, and the French Government was represented by delegates appointed for the purpose. The Conference sat under the presidency of the French Director of Indirect Taxes, both Customs and Excise. It was composed in this manner: the French delegates consisted of the Director of Indirect Taxes, of the Director of the Commercial Department in the Foreign Office in Paris, and of another gentleman, the Director of the Foreign Trade Department in the Ministry of Commerce. The Dutch representatives consisted of two special delegates connected with the Finance Department at Amsterdam, who were sent for the purpose: and associated with them was the Secretary of Legation of the Dutch Mission at Paris. The same arrangement was made with regard to the Belgian

gian delegates; they had two gentlemen sent from Brussels connected with the Finance Department, and the Secretary of Legation was associated with them in the Conference.

2571. Are we to understand that the Foreign Office of France was represented by the head of the Foreign Commercial Department in the Foreign Office, and that the Foreign Offices of Holland and Belgium were represented in each case by their Secretaries of Legation?—Yes.

2572. Who represented our Foreign Office?—Our Foreign Office was not departmentally represented at all. The only delegates were Mr. Ogilvie, the Surveyor General of Customs, and myself.

2573. Did you experience in that Conference any disadvantage from the Foreign Office of England not being represented, whereas the foreign offices of other countries were represented?—I think it would have been better if the special delegates had had the countenance and assistance of a Diplomatic Agent of the British Government. I do not know, however, that practically any inconvenience resulted from our Foreign Office not being represented. It was more, perhaps, a matter of form than a matter of great practical advantage with regard to the particular negotiation, but I think that this advantage would have resulted from it: that if the Secretary of the English Legation at Paris had been a member of that Conference, he would have acquired a good deal of information on the subject, and would have been in a position, from his permanent connection with Paris, to afford useful information to the British Government on all questions with respect to sugar that subsequently arose.

2574. Are we to understand from that answer that the Dutch and the Belgian missions at Paris, having been represented at the Conference, would be able to continue to give information to their Governments with greater ease than our own, which was not represented?—I think so.

2575. Was your office, to your knowledge, consulted by the Chancellor of the Exchequer this year with regard to the sugar duties?—No; not officially.

2576. Do you not consider that the alteration in the duties this year was rather more a trade question than a question of finance?—I should think that the question of the sugar duties, which was settled this year, was pre-eminently a trade question, because it was not a question in which any great revenue interest was involved. The changes were not made with any view of increasing the revenue; they were made more particularly with reference to the principle on which those duties should be levied. The question at issue was, whether the principle of graduated duties should be maintained, or whether *ad valorem* duties, pure and simple, should be adopted; or whether there should be one uniform rate of duty upon all raw sugars. That was pre-eminently a trade question, both of a practical and theoretical kind, and therefore I think that was a case in which, if a trade department existed, it ought to have been consulted.

2577. Are we to understand that on questions of great importance the Treasury or the Colonial Office do not consult your office, in the same manner as the Foreign Office does with regard to foreign commercial questions?—I think I may say that three-fourths of our correspondence is with the Foreign Office. That has been for the largest branch of our business. Our official correspondence with the Treasury is of a very formal character. I can hardly recollect a case in which any communication that we have made to the Treasury as to a complaint by a merchant against the Customs has led to any result. It is a mere matter of form. We have sent on the letter that has been addressed to us, and that letter has or has not been acknowledged, but I never recollect a case in which the Treasury, on the representation of the Board of Trade, has set aside a decision of their Custom-house officers. The intervention, therefore, of the Board of Trade has been useless. The correspondence, as a whole, with the Treasury is of the most limited kind. With regard to the Colonial Office the case is somewhat different. There it is a recognised rule that all Colonial Acts affecting trade or shipping are sent to the Board of Trade for their consideration or for their opinion; but I may say that even with regard to these Acts the practice of the Board of Trade has not been consistent. On some occasions, within my knowledge, it has been held by the Board of Trade that such Acts as were sent without a special request for an opinion, did not necessarily call for a reply, and therefore the Board of Trade has not always considered itself bound to express an opinion on every Trade Act; but the Board of Trade expresses an opinion whenever an occasion for it arises, to the Colonial Office. I may, however, state that it rarely happens that the expression of that opinion is attended with any particular result. In one or two cases in which the opinion of the Board of Trade has been expressed their opinion has been over-ruled by the colonial minister on grounds of general policy. He looks at the question politically as well as commercially, and it has come to my knowledge that on one or two important occasions, when the opinion of the Board of Trade has been strongly expressed, it has been over-ruled by the colonial minister on grounds of large Imperial policy, and on political considerations.

2578. Sir Emerson Tennent has stated that the Indian Office never consult the Board of Trade. Do you confirm that statement?—I do not think that any case has arisen since the constitution of the present Indian Office in which that office has consulted the Board of Trade on any question of Indian trade. They have written once or twice asking special questions as to a particular branch of trade or manufacture, as to which they wanted special information, but that was an exception which goes to prove the rule. There may, perhaps, have been six letters in six years.

2579. Your office has not, within your knowledge, been asked the effect on British trade of duties laid on British goods by the Indian Government?—No; never.

2580. Are you aware that the Board of Control used to consult the Board of Trade?—I believe they did occasionally; but I have referred to the correspondence during the 10 years from 1840 to 1850, and I have a list of letters received and written. In 1840 three letters were received, and five were written; in 1841 three letters were written, that is by the Board of Control to the Board of Trade. In 1842 four letters were received, and three were written. The largest amount of correspondence was in 1845, when there were 10 letters received and four written: so that it was a very small correspondence even then, but small as it was, it was larger and more

L. Mallet, Esq.

21 June 1864.

interesting than it has been since the Indian Office has been created.

2581. Do you consider that the fact, that you are not consulted by the Indian Office at all, and that you are consulted but seldom, and not on important questions by the Colonial Office and the Treasury, has had the effect of making the Department of the Board of Trade consider themselves to be less and less a consultative body?—I think that this fact, with other causes, has contributed to that impression; it is a case in which it is very difficult to distinguish between cause and effect. That impression certainly has gained ground in the Board of Trade during my connection with it. The kind of view taken by the Board of Trade has been considerably modified during that time. Different Presidents have entertained very different views as to the functions of the Board of Trade in that respect. One President, Mr. Cardwell, had a very distinct view as to the functions of the Board of Trade. He entertained the opinion that, as a rule, it was scarcely desirable that the President of the Board of Trade should act as adviser to an Executive Department, except on matters which came especially under the cognisance of the Board of Trade, in their necessary connection with their executive duties; and on one or two occasions of an important kind, which I have in my memory, Mr. Cardwell declined to advise the Foreign Office when his opinion was asked, on the ground that he did not consider it was within his province, or that he was able satisfactorily to advise the Foreign Office, with reference to a question of trade, which was referred for his opinion. I presume that that was from a feeling, either that he did not possess special or better information than the Foreign Office, and he subsequently acted on several occasions on that principle; in cases where he did give an opinion, that was the general impression imparted to the Department under his administration, and its course of action was much shaped with reference to that theory.

2582. Do you consider that the impression that the Board of Trade is getting more and more an executive body, is, to some extent, affecting its relations with the Foreign Office?—I think it has at different periods of its history, materially affected its relations with other departments; since the conclusion of the French treaty, there has been a much more active correspondence between the Foreign Office and the Board of Trade; and the consultative functions of the Board of Trade have been to a certain degree extended, but still the main feeling in the department has operated during the whole of this period very materially, I think, in weakening the Board of Trade as a consultative department. I may add to that, that during the period of my connection with the department, two inquiries have been held by the Treasury into the constitution of the Board of Trade, and with reference to its internal organization; the first of those commissions was held in the year 1853, and the second in the year 1863. The effect of the report of the commission of 1853, was certainly very much in accordance with the view which Mr. Cardwell held of the diminishing importance of the Board of Trade as a consultative office; and the arrangements that were contemplated by that report, were evidently made with reference to a progressive diminution of the Board of Trade as a consultative office; one of the arrangements prescribed by that report, was that the office of commercial secretary, then and now held by Sir Emerson Tennent, should, on his retirement, be abolished, and that the duties should be discharged by an assistant secretary, on whom should also be thrown the duties which are now discharged by the head of the Statistical Department, which is now presided over by an independent officer. It was clear, therefore, that the commission was under the impression, that in future the duties of the commercial secretary would be diminished in extent and importance, and that he would be able to perform those duties with a smaller rate of remuneration, and be able in addition to undertake duties which did not then devolve upon him, namely, the duty of superintending the Statistical Department. It is therefore pretty clear that the view of the commission as to the progressive diminution of the importance of the Board of Trade, was very much in accordance with Mr. Cardwell's view.

2583. You say that there was also a commission last year?—There was another commission last year.

2584. The result of that inquiry has not been laid before Parliament, I think?—I am not sure whether it has or not; I have not seen it, and I do not think it has; but I can state, if the Committee desire it, the general results of the inquiry as regards the Board of Trade.

2585. What was the report of the Commission that sat last year?—It was found that during the interval since the last inquiry, the functions of the Department in certain directions had very largely increased, and many Acts of Parliament had passed in the meantime throwing new duties upon the Board of Trade, so that it was necessary to enlarge the staff; other changes had also occurred which rendered that which was suitable to the staff in 1853 unsuitable to the staff as it now exists, and it was necessary therefore to revise the office in order to meet those changes. The result as regards this particular question was, that instead of recommending a continuance of the system recommended by the Commissioners in 1853, namely, that instead of one chief secretary with three assistants, one for marine, one for railway, and one for commercial business, there should be henceforward two principal secretaries, and no assistant secretaries, and that those two secretaries should divide the whole work of the Department between them. That arrangement, although differing from the arrangement that was proposed by the Commissioners in 1853, is so far in accordance with it as regards this point that it evidently also contemplates that the two joint secretaries shall divide between them the executive functions of the Department, and that no one shall be set apart for consultative purposes. It therefore evidently rests upon the supposition that the consultative functions of the commercial secretary will not be so important as to make it necessary for him to devote his whole time, or the principal part of his time to them.

2586. Who drew up that report?—The second commission consisted of Mr. Hamilton, the Assistant Secretary to the Treasury, Mr. Booth, of the Board of Trade, and Mr. Arbuthnot, of the Treasury.

2587. Mr. *Kinnaird.*] At whose instigation was that inquiry instituted?—The President of the Board of Trade suggested to the Chancellor of the Exchequer that many things required revision.

2588. *Chairman.*]

2588. *Chairman.*] I gather from your answers that you do not think that the present arrangement between the Board of Trade and the Foreign Office is perfect; will you briefly state wherein you consider the evils consist?—I think the Board of Trade, as at present constituted, is not able to conduct that branch of its business with satisfactory efficiency.

2589. Will you state to the Committee generally, the grounds upon which you base that opinion?—In the first place, as I have already stated, I think that the information which reaches us, reaches us irregularly, and in some cases tardily; in the next place, I think there is a certain amount of confusion with regard to the distinct responsibility resting on each Department, which gives rise occasionally to great practical evil; and I do not see at present how the President of the Board of Trade can take upon himself any distinct or complete responsibility, except so far as giving his opinion on a particular point referred to him by the Secretary of State; he cannot hold himself responsible for the result of that opinion under the present system, so far as my knowledge extends; I am merely speaking with reference to the information which goes through the Department officially, and as to that I do not think it is of a kind to enable the President of the Board of Trade to consider himself responsible for more than the opinion he gives at a particular time on a particular question; I think that is the difficulty arising from the present system. The President of the Board of Trade does not receive his information with that degree of regularity, completeness and promptness, that is desirable, and he is not able to follow up the results of his opinions with such closeness and completeness as is necessary if he is to be responsible. That, however is a question as to which the President of the Board of Trade is much better able to speak than I am: I, of course, can merely speak from an outside point of view.

2590. Do you mean by that to say that there is disadvantage in the fact that those gentlemen, like yourself and Sir Emerson Tennent, whose business it is to collect all possible commercial information, and to make themselves acquainted with all the details of commercial questions, are only able to communicate that information to the President of the Board of Trade, who again has to communicate it to the Foreign Office before it is brought into action?—I think that every additional stage that has to be performed, and which is required in any transaction, is a disadvantage; the more direct all communication is the better. It may be inevitable, but in itself it is a great disadvantage.

2591. You are aware, of course, that in order to meet this evil, it has been suggested that there should be a commercial department in the Foreign Office?—I have heard that suggestion made.

2592. It would have the advantage, would it not, of putting the permanent officials, whose business it is to obtain information with regard to foreign commerce in direct communication with the ministers responsible for foreign negotiations?—It would have that advantage, and I think it would be a very great advantage.

2593. Are you aware whether, in continental countries, there is such a department?—Such is the case, I know, in France, in Berlin, and in Italy, the three capitals to which I have gone upon missions.

2594. Is it the case that there is only a foreign commercial department in the Foreign Office, or is there also a foreign department in what answers to our Board of Trade?—I believe that in all these cases there is in their foreign office a commercial department, and in their Ministère du Commerce there is a department of foreign trade, both of those departments being presided over by what they call directors, who are men capable of giving sound advice to the minister, and of communicating instructions to the agents under him.

2595. Do you know what the relation is between the commercial department in their foreign office and the foreign department in their commercial office?—I have always found, when I have been directed by the Minister under whom I have been acting to communicate with these departments, that I have been placed in communication, both with the head of the commercial department in the Foreign Office and with the head of the foreign trade department in the office of the Ministère du Commerce, and I have found that the division of work between them is generally somewhat of this kind, that the director of the commercial department in the Foreign Office communicates with me more particularly on questions connected with any concessions that his Government would wish England to make to them, and questions of a diplomatic kind; whereas, the director of the foreign trade department in the Ministère du Commerce would be consulted by, and would confer with me with reference to any proposed reductions in the tariff of his own country. I think that the necessity for a foreign trade department in the Ministère du Commerce in these countries very much results from the fact that these countries have still elaborate protection as to tariffs, and that every question of reduction is one that has to be debated as much as it used to be formerly debated when protection was in force in this country; and when the questions before the Board of Trade were as to what degree of protection was necessary to be given to any industry, it was necessary to have a department whose function it should be to consider such questions; and it is in that point of view, I think, more particularly, so far as my experience goes, that the function of the foreign trade department in the Ministère du Commerce exists.

2596. I suppose, also, it is the case, is it not, that the department in these countries which answers to the Board of Trade has a great deal more business connected with the internal management of the country; it is at the same time a Board of Public Works in each case, is it not?—I am only acquainted accurately with the French Ministère du Commerce.

2597. From the fact that in France people look to the Government for much more action than they do in England, I suppose that this department in France is one of great importance?—It is a department of the greatest importance; it is placed in every respect, I believe, on a level with all the other great departments of the State; the Minister of Commerce receives the same salary, and is in every way co-equal with the other leading ministers; and I may mention, as an illustration of the great importance of the Minister of Commerce, that M. Rouher was translated directly from the office of Ministère du Commerce to the office of Ministre d'Etat, or Prime Minister of France.

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L. Mallet, Esq.

21 June 1864.

2598. Are you aware what the arrangement is in the United States?—In the United States, I believe that the Secretary of the Treasury in fact performs the purely consultative duties which are attached to the office of President of the Board of Trade in this country. I believe that there is no Board of Trade in the United States, and that the Secretary to the Treasury transacts all that class of commercial business on which the Board of Trade is now consulted.

2599. What is your opinion as to the suggestion of having a Commercial Department in the Foreign Office under a Parliamentary or permanent under secretary?—In the first place I think it would be perfectly idle to contemplate the appointment of such a department, unless it were constituted in such a way as would give it an equal degree of weight with the commercial public, and the same authority with the Government as is now possessed by the Board of Trade. How far that could be done by the appointment of a commercial under secretary, either political or permanent (and I think he must be political), I do not know; one thing which appears to me to be essential, in order satisfactorily to conduct this branch of public business, is that there should be, whether in the Cabinet or not, at all events some political member of the Government possessing the confidence of the Government, who should direct, guide, and follow the whole of the commercial questions which arise in the course of our foreign trade; who should direct that policy under the guidance of the Government, but that there should be some minister whose function it should be to guide, direct, and control it with such powers and means of information as would enable him to accept such responsibility, and enable him to be in fact the guiding spirit of our commercial policy abroad. Whether such a result would or would not be obtained by appointing a political under-secretary for trade in the Foreign Office, is a question upon which I do not feel myself competent to offer an opinion. It seems to me possible that a political under secretary for trade might exercise those duties with efficiency and advantage.

2600. Would there not be a difficulty in clothing him with that power, and giving him that authority, and at the same time making him subordinate to the Chief Secretary for Foreign Affairs?—I do not know how far the duties of such an officer in Parliament might clash with the responsibility of a foreign minister; it is possible that there might be some Parliamentary difficulty there, but I am not aware that there would be any departmental difficulty in it.

2601. Is the Committee to understand it to be your opinion that if the permanent officials, whose business it is to concern themselves with foreign commerce, were now in the Foreign Office under a Parliamentary under secretary, unless such Parliamentary under secretary had the same power in the Government that the President of the Board of Trade has now, the advantage of the permanent officials being brought in direct communication with foreign ministers would be outweighed by the disadvantages of the want of such power?—I think that any advantage that might be gained by bringing those officials who are more especially conversant with commercial business in more direct communication with foreign ministers, and with the agents of the Governments abroad, would be very seriously impaired and neutralised by any diminished power that might be possessed by a political under secretary in the Foreign Office for trade, relatively to the power now possessed by the President of the Board of Trade.

2602. Are there law officers connected with the Board of Trade?—One of the Secretaries of the Board of Trade, ever since I have been connected with the department, has always been a lawyer, and during the greater part of my connection with the Board of Trade, we have had a legal assistant attached to the office as permanent adviser on all legal questions.

2603. Mr. *Kinnaird.*] Is he a paid officer?—He is a permanent paid officer, with a fixed salary, and he is in daily attendance.

2604. *Chairman.*] Then, generally speaking, when you wish for a legal opinion, you are able to obtain it in your own office, and you have no occasion to consult the Attorney or Solicitor-General?—Very rarely; formerly, it was the practice to consult the law officers of the Crown. I remember several cases in which the Board of Trade took the opinion of the law officers of the Crown on questions of treaty and other matters that came before them; at present, that is very rarely done.

2605. You think there is an advantage in having, within your own office, the means of obtaining legal advice?—I think there is the greatest possible advantage in having permanently connected with us a lawyer who is able to give a sound opinion on any legal questions that may be submitted to him by the Board; and that is a thing of daily occurrence.

2606. Are you aware whether the Foreign Office has within the department lawyers who give opinions, or that it has to consult the Attorney and Solicitor General on all questions of law that come before it?—So far as I am informed, there is no lawyer permanently connected with the Foreign Office. The Queen's Advocate is constantly consulted by them, as well as the law officers of the Crown.

2607. If such be the case, would you consider that from it would arise a disadvantage if the Commercial Department were established entirely in the Foreign Office?—I think it would be impossible for the Commercial Department in the Foreign Office finally to decide, or satisfactorily to advise, upon many questions connected with trade which must necessarily come before them, without having at their command, and ready and available, legal knowledge. Whether such information could always be obtained readily from their present legal advisers, in the ordinary course of business, I am hardly prepared to say.

2608. Another suggestion that has been made to the Committee is that in place of transferring those officials whose business it is to concern themselves with foreign commerce from the Board of Trade to the Foreign Office, the Board of Trade should be put into more direct communication with the consuls and with the diplomatic body. What is your opinion with reference to that suggestion?—I think that if any arrangement could be made by which the President of the Board of Trade could be placed in direct communication with foreign ministers and consuls abroad, and generally with those agents of Her Majesty's Government who have to give effect to the commercial instructions of the Government abroad, and if, on the other hand, from his position he was able to carry that sort of weight with

with reference to his recommendations that the Minister of Commerce in France would carry in his recommendations to his colleagues in the Cabinet, I think that this branch of business might be conducted under such an arrangement with benefit and efficiency.

2609. Do you mean, by the latter part of your answer, to say that in your opinion the Board of Trade ought to be put more entirely on an equality with the other great departments?—I think that under the present system the usefulness of the Board of Trade as a consultative department is very much affected by its very subordinate position. As an illustration of what I mean, I may refer to a case in which the Colonial Office consulted the Board of Trade. The Board of Trade gave a decided opinion on the question submitted to them, which was one of commercial policy. The Colonial Minister informed us that on general and large considerations of policy, he considered that it was necessary to set aside our view, and to act in an opposite sense. In that case the opinion of the Board of Trade went for nothing; it was useful as enabling the Colonial Minister to weigh in his own mind the different considerations which affected his decision, and to decide on the balance of the whole what course to adopt; so far it may have been useful for him to have received that opinion from the Board of Trade; but I should presume (and this I say with the most complete deference to those who possess more knowledge on the subject than I do) that in the event of a difference between two Secretaries of State, or a conflict of policy; supposing the Colonial Minister had objected on colonial grounds, the Foreign Minister advocating that particular policy on the ground of the interest of our foreign relations; supposing such a conflict of opinion to arise between two Secretaries of State, I presume that the ultimate decision would in such case rest with the Cabinet, and it would not rest with either the one Minister or the other finally to dispose of the question. I think that if that is so (and I am merely speaking hypothetically) the Board of Trade is not so advantageously placed in advising another department as it would be if it were more on a footing with the other great departments of the State.

2610. You think, then, that there would be an advantage in all the trading interests of the country being under one minister, who would fulfil the same duties as the President of the Board of Trade, but who would have a power more approaching that of the Minister of Commerce in Foreign Countries?—I can conceive that advantage would result from the existence of a department whose special business it was to take cognizance of all commercial questions; but I think, with reference to the present practice, that unless the function of the Board of Trade were considerably revived as against the other Departments of the State except the Foreign Office, no great advantage would result from its continued existence as a department of advice. Although the Treasury may, and does, consult the Board of Trade, and although the Colonial Secretary may do so, I think the results arising from that consultation would be hardly sufficient to justify the existence of a Department of Trade alone. The business connected with the Foreign Office is still very large, and very important, and it must be done by one Department or the other; and consequently, so long as that business remains with the Board of Trade, I think that by such an arrangement as has been suggested, giving the President of the Board of Trade greater power and means of direct communication with those agents of the Government who must give effect to their policy, the business might be conducted by the Board of Trade with efficiency.

2611. Then you think that if the present theory be adhered to there ought to be a practical change by the Board of Trade being put into direct communication with the diplomatic body?—With regard to this branch of public business, which involves constant watching of occasions for representation, which involves day by day, I may say certainly, week to week, correspondence with the agents abroad, who alone can watch the times and occasions for representations, I think that kind of administration (for it is an administration) can never be conducted with real efficiency and vigour in the present indirect method. That, however, is nothing more than my individual personal opinion.

2612. A suggestion has been made that it would tend to the improvement of your present relations with the Foreign Office if the commercial business in the Foreign Office were put under some clerk whose special business it should be to attend to it; what is your opinion with reference to that suggestion?—If it is meant that such a clerk is to advise the Foreign Ministers and is in any way to be substituted for the Board of Trade, I should think it quite out of question; I cannot imagine that such an arrangement could be satisfactory to the commercial public, or that it would in any way be attended with useful results. I think that if you are to have a department which is to advise the Foreign Office, it should be a department which carries with it a considerable amount of weight.

2613. My question did not refer to the appointment of a clerk who should be an adviser of the Foreign Office, but had reference simply to the correspondence between you and the Foreign Office being put under his care?—That is a matter so entirely, as it seems to me, of departmental arrangement, that without knowing a great deal more of the Foreign Office than I do, I could not give any opinion how such a thing would work. I can conceive that an officer specially charged with the duty of attending to the Board of Trade correspondence might go to the different heads of Departments, collect their answers and work the thing with a certain degree of rapidity and harmony; but I am not prepared to give any opinion worth having upon that point.

2614. Are the communications of yourself and Sir Emerson Tennent with the Foreign Office always in writing?—Yes, almost invariably.

2615. In your opinion would there be an advantage in having some gentleman at the Foreign Office with whom you could personally communicate?—I think that if such an officer were able to communicate with the officials of the Board of Trade, in such a way as to give them a distinct opinion, and to consult with them on the real substance of the matter to be dealt with, such an arrangement would be productive of the greatest possible advantage; but if that officer is merely to be able to give assistance in the mechanical part of the work, such as seeing that a letter is answered at the proper date, or that a despatch is sent off at the proper time, the advantage would be very small and

L. Mallet, Esq.

21 June 1864.

would be purely of a mechanical kind, not affecting the real efficiency of the conduct of the business.

2616. Sir *Stafford Northcote.*] You have stated that in your opinion the interests of trade suffer from what you call the subordinate position of the Board of Trade; will you be good enough to explain in what respect you consider the Board of Trade to be in a subordinate position?—The term "subordinate" is not perhaps the right one to use, but commonly the Board of Trade is not an office of equal importance in the State with that of the Secretaries of State.

2617. Can you suggest any means by which it could be made an office of equal importance with that of the Secretaries of State?—I do not see why it should not be made a Secretaryship of State

2618. Do you suppose that if the President of the Board of Trade were called a Secretary of State, and if he had a salary equal to that of other Secretaries of State, that would put the Board of Trade in a different relation to the other offices with regard to the functions it has to discharge, in common with them from that in which the Board of Trade is now?—I think it would have the effect certainly of giving greater power to the department; it would give greater weight to its recommendations; in one respect it certainly would have that effect. It has happened three times to my knowledge that the President of the Board of Trade has not even been in the Cabinet. Mr. Cardwell, Lord Stanley of Alderley, and Lord Donoughmore, during a great part of the time they were connected with the department, were not in the Cabinet, and that I think must obviously have placed them at great disadvantage.

2619. As regards all the executive business of the Board of Trade, is that department in a subordinate position to that of any other department?—As regards its executive functions, it is absolute, so far as I am informed.

2620. Then there is nothing to be desired as regards its executive functions; your objection refers to its relations to the other departments with regard to what are called its consultative functions?—Entirely.

2621. Is it not necessary that a department which is merely a consultative department, should be in a position which may be called subordinate, or in an inferior position to those departments which are of an executive character?—I think not necessarily so. I will take the case of the Treasury and the Customs; the Customs is an executive office, but the Customs may, of course, consult the Treasury and execute its instructions.

2622. Do you mean to say with regard to the Treasury and the Customs, that the one is an executive office and the other is not?—No; they are both executive offices, but the Customs has often to take the opinion of the Treasury, and, in that sense, the Treasury becomes, upon that particular occasion, a consultative office.

2623. When it takes the opinion of the Treasury, does it, in fact, take the direction or the pleasure of the Treasury, which is its superior?—It assumes that form, no doubt.

2624. Is there any analogy, then, between the Treasury, which is a superior department to the Customs, that being a subordinate branch of the Treasury, and the relation subsisting between the Secretary of State for Foreign Affairs, and the President of the Board of Trade?—What I mean is this: that if the Board of Trade was placed in the same position, as regards foreign trade, to the Foreign Office, that the Customs is to the Treasury; that is, if the Board of Trade for those functions was subordinate for the Foreign Office, receiving their instructions, and obliged to execute their orders, the Board of Trade might then carry on those negotiations, under the instructions of the Foreign Office, with great advantage.

2625. Then the remedy you propose is, that it should be placed in the same relation to the Foreign Office as the Customs now is placed to the Treasury?—I think that would remedy the evil to which I have referred to a very great extent. It amounts, as you perceive, to having a commercial department in the Foreign Office.

2626. Then, I would ask, what is the distinction between the proposal to which I understand you to object; that of having a commercial department in the Foreign Office, and the relation which you propose to establish between the two offices?—I think I have been misunderstood. What I meant to say was, that I thought it was an arrangement which might work satisfactorily, and be productive of great advantage.

2627. Did you not say a little while ago that you considered that trade would lose more by not having a Cabinet Minister to promote its interests than it would gain by the suggested transfer to the Foreign Office?—I think not; I think that if my answer is read you will see that what I said was this, that I thought the advantage that would be gained by bringing the permanent officials charged with the duty in direct communication with the agents of the Government on commercial matters would be very much neutralised if the political Under Secretary possessed less weight or authority in advising the Government, or less weight with the commercial public than the Minister who was at present held chargeable with those duties, but I did not draw a comparison between those advantages. I think it would be a disadvantage if the authority now possessed by the President of the Board of Trade were impaired, and an officer were entrusted with those functions who did not possess authority. On the other hand, I think it would be a great advantage if the Government officials were in direct communications with foreign agents and Governments.

2628. Would you prefer that there should be a commercial department in the Foreign Office, or that the President of the Board of Trade should be placed in direct communication with the Consuls abroad, and either with our own Ministers abroad, or with foreign Ministers in this country?—I may state generally that I think the question of which department is to be entrusted with those functions is a very subordinate one. I do not attach any very great importance to that question. I think the important thing is to see that one or other department is able to do the work satisfactorily. I think it might be done by either department, and, as far as my opinion goes, I should not care much which department was entrusted with the duty. As a general rule I have a great dislike to a system which is defective in theory; in the present case you have a theory which is complete in itself, which is, that there shall be no such thing as a purely consultative department, whose business it shall be to collect information, and to be able to give advice to the executive department if asked for it, without having the means of enforcing its opinion on the executive department;

department; each department should have certain executive duties, and consult the other executive departments on that branch of executive duty with which it is entrusted; that is a distinct theory which is acted upon in the United States; it is a theory which in fact is practically acted upon in this country now so far as the Board of Trade is concerned except with reference to the Foreign Office. I admit that the Treasury occasionally consult us, and that the Colonial Office also consult us, but I do not think it would be justifiable to keep up such a department as the Board of Trade in order to assist the Treasury and the Colonial Office as it now does; if that was all that the Board of Trade did, that would not justify its existing any longer as regards its consultative functions. The only way to restore the theory is to put the Board of Trade, as regards the Foreign Office, in such a position that the Foreign Office should do as much of the work that is now divided between the two departments as the Treasury does with reference to the work that is now divided between the Treasury and the Board of Trade. When the Board of Trade has to deal with a strong executive office, that office does its own work, and never comes to the Board of Trade, except with reference to matters with which it finds it cannot deal; it then comes to the Board of Trade for its opinion and assistance: if it is able to deal with its own business, it does deal with it; and on many of the most important occasions within the last 10 years, some of which have been already referred to, the Board of Trade has not been consulted at all; in fact, I should infer that whenever a strong executive department has got a subject which it thinks important, and on which it has set its heart, it rather abstains from consulting the Board of Trade, for fear it should take a contrary view of the matter.

2629. Will it not necessarily be the case that all executive departments will have occasion, from time to time, to consult each other on matters lying within the functions of the department which is consulted; for example, the War Office must sometimes consult the Admiralty?—That must be so.

2630. But that is a very distinct matter from the maintenance of an office which is to be consultative, and nothing else?—No doubt it is totally distinct.

2631. The executive office must, after all, take into consideration a good many other matters besides those upon which it seeks the advice of the consultative department, must it not?—No doubt.

2632. For instance, in the case you referred to just now, of the action of the Colonial Office, it is absolutely necessary that the Colonial Secretary should take into his view other considerations than those which are suggested to him by the Board of Trade?—Necessarily and inevitably.

2633. Does not the fact, that an office like that of the Board of Trade is called on to give an *ex parte* opinion on one portion of a subject, place that office in a very embarrassing and false position?—I think exceedingly so. I have often found that it is excessively difficult to offer any advice to the President from feeling that the information before me is of a very incomplete kind, and can only affect a particular branch of a very large question. I think it is almost impossible to make that sort of disconnection between political and commercial considerations with reference to some questions, which would render it very useful to have an abstract opinion on the commercial element of the case to be weighed in the mind of another person against all the other different elements which compose the whole question for consideration.

2634. Is it not the fact, that with reference to an opinion formerly given by the Board of Trade on one of the questions affecting the sugar duties, the Board of Trade expressed an opinion in an official letter, at variance with the view which the same Minister who had written that letter afterwards took when he had the whole question put before him?—No doubt; that is a striking illustration of what I state; and that led to considerable inconvenience.

2635. Does not your evidence point to this, that it is desirable, as far as possible, to concentrate responsibility upon the office which is to be the executive office, to strengthen that office as far as possible, and to give it so much of a consultative organization as shall enable it to discharge its duties on its own responsibility?—I think so, decidedly.

2636. I think you say it is the habit of merchants to come with complaints to the Board of Trade, which complaints are transmitted by the Board of Trade to the Treasury. Is there, in your opinion, any advantage in that over a system by which the merchants would carry their complaints directly to the Treasury?—The duty of the Board of Trade is to see that, as regards the Treasury, the Treasury in execution of its duties in imposing and in raising taxes, should give due consideration to the convenience and interests of trade. The theory is, that the Minister whose duty and object it is to collect the taxes, may not perhaps sufficiently consider the interests of trade in imposing a particular tax, and that he may not give sufficient weight to commercial considerations; the function of the Board of Trade in theory is, that should that take place, the Chancellor of the Exchequer should be well informed as to all the commercial inconvenience that would result from the particular tax; that is the idea in theory on which the office exists, but practically I think it is very difficult to believe that that theory works out to any great advantage. It seems to me that a Minister who has to impose a tax, must consider the commercial bearings of the question, and he is perfectly able to collect information as to the commercial bearings of it; and the commercial public is able to submit to him its grievances as well as to the President of the Board of Trade.

2637. Would it not be more convenient that they should carry their complaints direct to the Treasury?—No doubt; because that would save one stage; and if their complaints received equal consideration there, it would certainly be better.

2638. If the Board of Trade is to be retained purely as a consultative body, the theory would be that it should be furnished with every kind of information that could possibly bear upon the questions upon which it might be consulted?—That is quite essential for the proper discharge of its functions.

2639. And that information should be put on record in the office for future use?—Yes, certainly.

L. Mallet, Esq.

21 June 1864.

2640. But I gather that, so far as you are aware, communications take place between the President of the Board of Trade and Foreign Secretaries which are not officially put on record?—To that I can hardly speak.

2641. If, however that, should turn out to be the case, must not a good deal of information so obtained by the President of the Board of Trade be lost to the office for future use?—No doubt.

2642. Mr. *Cobden.*] With regard to the two alternatives which have been placed before you, the giving a commercial department to the Foreign Office, or setting up a semi-diplomatic establishment in the Board of Trade, you are aware, I presume, of the nature of Mr. Hammond's evidence from the Foreign Office upon that question?—I have read Mr. Hammond's evidence.

2643. You are aware that he entirely repudiates the idea of having a commercial branch introduced into the Foreign Office?—Yes, I have seen that he has stated that objection.

2644. Turning to the other alternative, I mean giving power to the Board of Trade to communicate directly with our diplomatic representatives abroad, have you thought the matter over in its technical details, with a view to judge whether there would be any insuperable difficulty in making such a change?—That is a question which it is very difficult for an official of the Board of Trade to answer at all satisfactorily. I am not myself aware of the objections to the system; I have not heard them stated; and I cannot myself see why there should be any practical objection to the President of the Board of Trade communicating directly with a Foreign Minister, with reference to a negotiation that has been set on foot, or with a view to obtain information on questions of trade, on the economical condition of a country or the play of parties, or the relative interests which are at issue in a country at a particular time; in short, that kind of knowledge which is requisite to enable the President of the Board of Trade to know what the condition of a country is with which it is proposed to treat. I am not aware what practical inconvenience could result from the President of the Board of Trade communicating directly with a Foreign Minister on such questions; those communications might be made if necessary through the Foreign Office, who might control or stop any communications of that sort; but the important thing is, that there should be a direct personal communication between the Minister who has to direct that policy really, and the agents who give it effect; that is the thing which I think essential, and I am not myself aware of any objection, nor have I heard any practical objection stated to such an arrangement in the case of the French treaty; I am not aware that any inconvenience resulted from the course which was pursued by the Foreign Office; the whole of the communications which passed between the Commission in Paris and the Home Government were directed to the Board of Trade during the negotiation of the supplemental convention; and I cannot see why that practice should not be repeated in similar cases. I do not see what inconvenience resulted from it in that case which could be considered at all to operate as an objection to the extension of the principle.

2645. You are aware that when I had the pleasure of co-operating with you in arranging the details of the Treaty of Commerce in Paris, it was a matter of very great regret with me whenever we could not correspond with the Board of Trade, but found ourselves hung up in consequence of controversies arising with the Foreign Office?—I am aware of that.

2646. And you are aware that the difficulty which I always felt was the want of knowledge at the Foreign Office with reference to questions of commercial policy?—I am quite aware of that.

2647. There can be no offence in attributing a want of knowledge to the Foreign Office inasmuch as they profess to consult the Board of Trade on all occasions with reference to commercial questions?—I think Mr. Hammond stated in his evidence that that was their practice.

2648. Do you remember that after we had finished the details of the Treaty of Commerce between France and England, there was a Belgian minister who came to Paris with a letter of introduction to me from Lord Russell, asking for my assistance to enable him to enter into a similar treaty with France?—I am aware of that.

2649. After we had arranged our treaty, and when it was known that France was going to arrange treaties with Belgium, with the Zollverein, with Italy, and probably elsewhere, do you remember the fact that an intimation was given to me by the French Government that they would be most happy to have a representative of the British Government to co-operate with them, and to go side by side with them in all their negotiations?—I remember that circumstance.

2650. Would you not have been in a position to have acted much more promptly and efficiently in your endeavour to obtain the same terms, and might you not probably have helped the French to obtain better terms in their negotiations with those countries, if representing the Board of Trade you could have gone on continuously; and if you had felt yourself competent to act in concert with the French Government, would it not have placed you, as the representative of English interests, in an advantageous position with reference to the subsequent negotiations with Belgium, Italy, and the Zollverein?—I understand your question to mean whether, if the British Government had made some arrangement with the French Government by which both Governments could have appointed agents to negotiate conjointly with other foreign Governments, great advantages might not have resulted to this country; was that the meaning of your question?

2651. I assume that the English, but for the ignorance of the Foreign Office, would naturally have done that, and that you, as representing the Board of Trade, would have seen the advantage of it, and would have taken the initiative as representing with the Board of Trade?—I think that if the British Government could have made such an arrangement with the French Government, it might have been attended with very great advantage.

2652. But you, as representing the Board of Trade, did not feel yourself competent to take the initiative in any step in connection with foreign diplomacy?—I, as representing the Board of Trade, had no authority to do more than the particular

ticular work entrusted to me to the best of my ability. I could not have gone one inch beyond that point.

2653. Had you represented a department which had diplomatic functions with reference to commercial questions, would it not have occurred to you, knowing that the French Minister was perfectly willing that a representative from England should have attended his representatives in their negotiations in Turin, Brussels, and Berlin, to have suggested to your own department that an agent should be appointed for the purpose?—Yes.

2654. *Chairman.*] Did you understand while you were at Paris, that the French Government would have been willing to allow a representative of the British Government to attend their representatives to other countries with regard to commercial arrangements?—I recollect no mention of specific countries; my recollection is of a general kind, and to the effect Mr. Cobden has just stated; I remember the French Minister, and the officials with whom we had to deal, expressing a general disposition to co-operate with the British Government, but I do not recollect any particular countries being mentioned.

2655. Mr. *Kinnaird.*] Did you communicate that to our Government, and did they refuse to give you permission?—No, I made no communication to them.

2656. Then, how was the Government to be aware of it?—I was not informed of it officially with a view to its being communicated by me, nor was I the person to communicate it; Mr. Cobden, of course, communicated whatever he thought proper.

2657. Mr. *Cobden.*] As I understand, there are three functions which attach to the Board of Trade in its consultative relations with the Foreign Office; you receive through that department documents and communications from abroad, and it applies to your department for information to guide it in its policy abroad?—Yes.

2658. And you are called upon by the merchants and manufacturers in this country for information on matters relating to their daily affairs?—Yes.

2659. Those are your three functions at the Board of Trade in your consultative character?—Yes.

2660. As I understand, you think there would be no difficulty whatever in receiving from our ambassadors, ministers, and consuls all communications direct to the Board of Trade which now come through the Foreign Office?—I am not aware of the objections that there are to it. There may be objections that I am not acquainted with, but I certainly know of none.

2661. As I understand, you think, with reference to the policy pursued abroad in promoting our commercial relations, that it would be an advantage if you could be brought into direct communication with our representatives abroad?—I think that, if the Board of Trade is to be in any way responsible for the conduct of negotiations of this description, it would be a very great advantage, and is, in fact, almost essential, that they should have more direct communication with the agents who conduct those negotiations than they now have.

2662. And among the duties which you would consider, I presume, devolved upon the Department of the Board of Trade, if you were brought into more direct communication with other countries would be that of promoting, as far as you could legitimately, the extension of British commerce abroad?—Certainly.

2663. You are aware that, for a very long time, the Board of Trade has been recognised, both by our highest statesmen in Parliament, and also by the country, as having contributed to the extension of our commerce by changes in our own internal policy?—No doubt.

2664. You are aware, no doubt, that Sir Robert Peel, and Mr. Huskisson long before him, paid high tributes in this House to the Secretary of the Board of Trade, for the assistance which he had rendered in carrying out those measures that led so greatly to the extension of our foreign commerce?—Yes; I am quite aware of Mr. Deacon Hume's services, and of the way in which they were appreciated.

2665. If the Board of Trade were brought into direct communication with our foreign representatives abroad, do you think it would consider it a legitimate exercise of its functions to endeavour, so far as it could, to promote the extension of those principles of free trade which we have acted on in this country?—I think they clearly ought to consider it their duty to do so in every possible way; if they did not, there would be very little use in their continuing to exist.

2666. Assuming the public to wish, and the Board of Trade to desire, to promote the extension abroad of those sound principles of commerce which have tended so much to increase our foreign trade, would there not be an insuperable difficulty in the way of the Board of Trade carrying out that object, of what I will call the propagandism of sound principles, if it can only communicate with foreign countries through the Foreign Office?—I think it enormously diminishes their power of active influence in that direction. I think it is scarcely possible to appreciate the importance of personal knowledge and personal communication between the Ministers at home who direct our commercial policy, and the agents of Her Majesty's Government abroad, on whom the British Government must depend for its execution. So far as the action and influence of the British Government in commercial matters is concerned, for the promotion of British interests in foreign countries, on the personal knowledge and intercourse between the department which directs that policy and the officers who execute it, it seems to me that it is almost indispensable that there shall be constant communications, both of an official and unofficial kind, between the Ministers and officers who conduct that policy or advise upon it for practical purposes and the officers who execute it.

2667. In the case of communications being carried on through the Foreign Office, have you not this disadvantage, that you bring Foreign Governments only into contact with that one department of Government which avows its want of knowledge with regard to questions of commercial policy?—I can conceive many cases in which it must be a disadvantage to the British Government to have to deal with Foreign Governments in negotiations on commercial questions without that sort of knowledge which can only be obtained by a knowledge of details, as they are called.

2668. If you were to attempt to propagate the sound doctrines of trade to foreign countries through

L. Mallet, Esq.

21 June 1864.

through the Foreign Office, as at present constituted, would it not be like attempting to make proselytes through apostles who were themselves entirely ignorant of the faith they wished to propagate?—There is a certain force in the analogy; I can hardly say how far it applies.

2669. But is not that the simple truth, according to the admission of the representative of the Foreign Office?—If you had asked me that question a week ago I could not have answered it, but I see that Mr. Hammond states distinctly that he does not consider it part of the duty of the Under-Secretary for Foreign Affairs to be conversant with matters of trade; and as he is in every way a most efficient officer, he no doubt thinks it is no part of his function to possess much knowledge on commercial questions. As he states that in his evidence, I do not hesitate to refer to it.

2670. He acknowledges that the Foreign Office takes its information on all subjects connected with trade from the Board of Trade, and he has avowed that, so far as he has any influence, he shall resist any change by which a department or branch of the Foreign Office shall be constituted for the purpose of possessing that commercial knowledge which is necessary to carry on their communications on matters of commerce without the aid of the Board of Trade. That being so, should you not consider the Foreign Office a most hopeless instrument, as at present constituted, to effect any conversions, so as to carry out any change in the policy of Foreign Governments with reference to commercial questions?—It is very difficult, without considerable knowledge and without taking considerable interest in commercial matters, to infuse that sort of interest and activity into the agents abroad who have to give effect to your policy that is requisite to accomplish what is wanted.

2671. Seeing how much the Board of Trade has done with reference to the changes in our own tariffs, and seeing how much honourable fame they have acquired by the course they have pursued, and in what exceedingly high respect the department is held by the commercial world, would they not, if they were brought into contact with foreign countries by an arrangement such as that of which we are now speaking, feel impelled by the traditions and reputation of their department to endeavour, as far as possible, to propagate those sound principles of trade abroad which they have been so instrumental in bringing into practice at home?—I am not at all prepared to say how far they might be disposed to embark in those duties. Certainly there has been, as I have already said, during the last 10 years, a progressive tendency towards a diminution of interest and attention to those questions, and that has been coincident with, and I think much dependent upon the large addition to their executive duties that has been thrown upon them, and the mind of the Board of Trade, so to speak, has been, during recent years, principally directed to those executive functions to the detriment, I think, of its action as a consultative department. If the Board of Trade were re-constituted and placed on a different footing, and distinctly made responsible, and if they had given to them the power of communicating directly with foreign agents for that purpose, I presume that under those circumstances they would feel called on to do what you suppose they would naturally be inclined to do.

2672. After we had adopted the policy of freedom with reference to the slave trade and slavery, did we not endeavour, as far as possible, to propagate those just and humane principles abroad?—I have always understood that that has been the case, and that there has been a very great amount of activity and influence exercised to promote those opinions and that policy.

2673. Is there any reason why a similar attempt should not be made to spread those sound principles of commercial freedom which we have adopted in this country with such great success?—I am not aware of any. I have always imagined, on the contrary, that there was a very wide field for the exercise of British influence in promoting the cause of free trade in foreign countries.

2674. The third of the functions which I have mentioned as coming to your department in your consultative capacity is the applications that are made by individuals wanting your intervention to assist them in difficulties that may have arisen in the course of their trade with foreign countries; are not those very often matters of very small detail?—Sometimes they are matters of very small detail, and at other times they are questions which involve grave matters of principle.

2675. And in all cases where you are brought with reference to small matters into communication with foreign Governments, if you were in more direct communication with them, you might find occasions, might you not, for enunciating sound principles in connection with very small matters of detail?—No doubt.

2676. In order to have a chance of influencing foreign Governments with reference to their commercial policy, is it not necessary that opportune occasions should be seized upon for diffusing those principles, and that information?—No doubt it is of the greatest possible importance that that sort of influence should be brought to bear at particular times, and on appropriate occasions.

2677. Whilst on the one hand you are obliged to go now to the Foreign Office with all these minute details, if you had the power of arranging such matters by direct communication with foreign Governments, they would not only be more easily and more expeditiously arranged, but an opportunity would be given to you of diffusing sound principles as occasions might arise?—I think we should be much better informed of the occasions on which opportunities are presented for making useful representations, and for diffusing the experience and knowledge which this country has acquired.

2678. Would not the very fact of bringing foreign Governments into close contact with a department like that of the Board of Trade, where the soundest principles with regard to commerce obtain, and where they have the fullest knowledge of all the statistics and details connected with our commerce, be in itself calculated to promote the interests of Free Trade?—I should think it would.

2679. I have referred to some small matters of detail that are sometimes brought before you by individual merchants and manufacturers; I have had occasion since the completion of the Treaty of Commerce with France very often to send to you individuals who have written to me respecting some little difficulty that may have arisen in the working of the tariff; when individuals

duals call upon you at the Board of Trade, will you tell us what the programme of your action is with regard to those individuals; how do they obtain redress of the grievances of which they complain?—They come to me very often with private letters of introduction from yourself or other people; sometimes they apply directly to the Board of Trade; in the cases which you have referred to me, the gentlemen have come to me with your letter; I then read their paper; sometimes it relates to a matter as to which I can give them an answer at once from my own knowledge, or it is a matter as to which I can obtain information within the walls of the office; in other cases, where action or further information is required, if the case is of sufficient importance, I make it an official paper. I request them to make a representation to the Board of Trade; that representation is then put into an official letter and is sent to the Foreign Office with a request that an inquiry may be made of the foreign Government concerned with reference to the subject matter. That is the course which we pursue; the answer to that inquiry is received after a certain lapse of time, but the process to be gone through is that which I have described; of course that process involves a transfer of the correspondence through a second department.

2680. I hold in my hand a letter which will illustrate this matter, which I received two days ago, and I requested the party who wrote it to apply to you. I will read the letter; it is dated, "172, New Bond-street, London, 14th June 1864. French Treaty of Commerce. Sir,—As manufacturers of Dinneford's fluid magnesia, we have for some time past been able to send the article to France for sale, but are now informed by our agent at Boulogne that the fluid has been declared prohibited by the Douaniere there acting on the instructions of the Minister of Commerce, and as contrary to the existing regulations of the 'Ecole de Pharmacie.' For your consideration we enclose a printed label, with statements of the medicine, which is not a patented or secret remedy, but a solution of magnesia in water, by means of carbonic acid gas, and of nearly uniform strength. The process is published in medical and chemical works, and can be declared in detail for a place in the Codex, or otherwise, as may be desirable. We have thought that, from your influence and connexion with French commerce, you would kindly determine for us as to any possible modification of the prohibition as stated, or otherwise advise us of any way by which we can make supplies to the English residents and visitors of Paris, to many of whom our solution of magnesia has become almost a necessity. We are, &c. *Dinneford & Co.*" That letter is a sample of many others of the same kind that I have received; and when I have received them, I have referred the parties to you, as I did in this case. I wish to ask you whether, in a case like that, you find it necessary to go through the process you have described, that is, that you go to the chief of your own department, in order that he may send a despatch across Downing-street to the Secretary at the Foreign Office, and then, that that secretary may communicate with his chief, who shall communicate by despatch with Lord Cowley; is that the process that you go through?—Yes. I think that such a case as that would probably be made the subject of an official communication, and that we should send it to the Foreign Office, who would send it to Lord Cowley; and we should, probably, not receive an answer for three or four weeks. When you consider the course that that letter would have to take, it is obvious that three weeks or a month would be a short time within which to get an answer. The letter has to go first of all from the Board of Trade to the Foreign Office, where it has to go through certain stages; in my own office, it has to go through three hands at least before it leaves the department; it then goes from the Board of Trade to the Foreign Office; it then goes to Lord Cowley; it then goes to the French Foreign Office, from whence it goes to the Minister of Commerce; from the Minister of Commerce it goes to the Ecole de Pharmacie; then probably to the Minister of Finance; and then back again, through all those several stages; and therefore it is obviously hardly possible for that letter to go through all those stages in less than four or five weeks.

2681. Would you send the letter bodily to the Foreign Office, or would you take a copy of it?—We should send a copy of the letter, and keep the original.

2682. You would keep the original and send a copy across Downing-street to the Foreign Office?—We should.

2683. How would you act if you felt yourself perfectly free?—I cannot say what I should do, but if I were in Mr. Hammond's place, what I should do on receiving that letter, would be to write a private letter to Lord Cowley and request him to ask one of his secretaries to go at once to the proper department, and to send me an answer as soon as he could. I presume that Mr. Hammond would do that, if the matter were brought to him directly, but when he receives an official letter from the Board of Trade, he can hardly deal with it in so irregular a manner.

2684. Supposing the Board of Trade had the power of communicating on these commercial questions with our diplomatic agents abroad, would there not be some one in the Board of Trade who would be at once able to take the case in hand, and to correspond directly with your Minister in Paris?—I think it very important that either in the Foreign Office, or in the Board of Trade, there should be some officers who would be able with the authority of the Minister with whom they acted to communicate semi-officially with the proper people in foreign countries; I have often talked the thing over with Lord Cowley, and we both of us equally lamented the circuitous process necessary to be gone through with reference to these matters, and the delay that necessarily occurs.

2685. If the Board of Trade were empowered to communicate directly with your Ministers abroad, do you not think that in an embassy like that of Paris, there would be a secretary or an attaché who would at once have this commercial department placed in his hands, and to whom it would be a school for training him to a knowledge of commercial questions, and would not Lord Cowley hand a communication like this over to some secretary or attaché who would enter at once upon the matter?—Yes, no doubt.

2686. If that secretary or attaché knew that his communications were going home to a depart-

L. Mallet, Esq.

21 June 1864.

ment thoroughly well versed in these matters, would it not be an inducement to him to inform himself on commercial matters, so that he might be enabled to execute his duties ministerially, and to correspond in a satisfactory manner on such subjects?—I think it must operate in that way; I think that an attaché who had that duty, and who evinced an aptitude for that kind of work, would be encouraged by feeling that his services would be brought to the knowledge of a branch of the Government capable of appreciating the intelligence which he displayed upon the occasion.

2687. Has there been any other permanent official in the Board of Trade who has been abroad, as you yourself have been, to assist in the arrangement of a commercial treaty, or in an attempt to negotiate with foreign countries?—Not in the case of a commercial treaty; I think during my experience, Lord Hobart has been employed on two occasions on a mission to Turkey of a financial character.

2688. Both from the point of view in foreign countries, as well as from your duties in Downing Street, you have had peculiar opportunities of judging how far it would be practicable to have these semi-diplomatic functions intrusted to the Board of Trade?—Many cases have been brought to my knowledge in which I have been made to feel the inconvenience of the circuitous mode in which this branch of business must be done at present; I have had many opportunities of forming an opinion upon the subject.

2689. So far as you are able to judge, you see no difficulty in a technical point of view in carrying on direct communications abroad, on commercial questions, through the Board of Trade?—I am not aware of any practical objections; they may exist, but I am not acquainted with them.

2690. You do not then see any difficulty in the Board of Trade fulfilling those functions for the commercial world that at present have to pass through the Foreign Office, in the respects to which I have alluded?—As I have already said, I am not aware of any serious practical objection to the course proposed.

2691. Mr. *Layard.*] Is there any reason why that letter which has just been read should not have been sent to the Foreign Office?—I am aware of none.

2692. Are such letters constantly sent to the Foreign Office?—I think it is possible that they are; but I am not aware of the fact.

2693. Do you suppose that if such a letter as that which has been read to the Committee had been sent to the Foreign Office, they would have considered it necessary to consult the Board of Trade before making a representation to the French Government?—I should think not; I should have thought, as I have already said, that Mr. Hammond, on receiving such a note, would have sent it privately to Paris.

2694. If you were in direct communication with the Foreign Diplomatic Service, what course should you take?—I think the course that I should have advised the President to take would have been to send the letter to Lord Cowley privately, with a request that one of his secretaries should go round to the several offices, and send over an answer in the course of a week at the latest.

2695. Are you sure that that is never done at the Foreign Office?—I said that I presumed that such a course would be taken in the Foreign Office in such a case as that which has been brought forward.

2696. Is it not a course which is constantly taken every day in the week?—I assume that it is so.

2697. Will you to say that it is not?—I certainly should not presume to say anything of the kind; I know nothing about it. As I understood the question, the object was to illustrate this: that so long as the Board of Trade is held by the commercial public to be a department possessing a knowledge of and taking an interest in commercial questions, they not unnaturally go to the Board of Trade on questions such as this. It happens every day that gentlemen come to me with complaints, or with letters similar to the one that Mr. Cobden has just read.

2698. What I understand you to say is, that if this letter came to you instead of coming to the Foreign Office, that would be one link more, that is, that it would go through the Foreign Office?—That is all I can answer for.

2699. Supposing you sent such a letter to the Foreign Office, would not that letter be sent on that same day to Lord Cowley?—I know nothing of the practice of the Foreign Office in such cases.

2700. But you have led the Committee to believe that, owing to the Foreign Office intervening between you and Lord Cowley, there might be three weeks' or a month's delay in answering the letter?—I could show to the Committee several cases if necessary of communications of a similar kind to the one that has been referred to. Cases constantly arise not quite so trivial as that; but nevertheless with reference to pure matters of detail as to which it is desirable to obtain very rapid answers; instead of which, under the present system, there is a correspondence spreading over several weeks.

2701. Under any circumstances, whether you or the Foreign Office corresponded with Lord Cowley, he would have to go to the Minister of Foreign Affairs, in France, would he not?—That is a matter which must be regulated between the French Government and Lord Cowley. There again, no doubt, difficulties may exist; but, I believe, that practically there is a certain amount of common sense prevailing all over the world, and that every department occasionally deviates from the strict technical rule for practical objects.

2702. Do you know how Lord Cowley does carry on a communication of that sort with the French Government?—I know that his rule is to communicate with the French Foreign Office, and to them only; that is the form in which almost all the colonial correspondence which reaches us from the Foreign Office appears.

2703. Is it not the rule all over the civilised world that the Diplomatic Minister is bound to communicate with the Foreign Office?—Yes.

2704. Does not Lord Cowley, when a matter of that kind comes to him, generally send Mr. Grey, the Secretary of the Legation, or if he is absent, the next secretary, to the Foreign Office, to do the thing at once?—He sends to the Foreign Office, but he cannot do it at once. The only way

way to do it at once is to go to the department with which the decision rests.

2705. Is it the fault, then, of the British Government, if he does not do it at once?—No; when it once reaches Lord Cowley, it must rest with him, and is in his discretion.

2706. But you have led the Committee to believe that this delay of three weeks or a month was owing to Lord Cowley or the Foreign Office?—No; I did not mean at all to convey that impression; I merely stated the process that the letter goes through.

2707. Suppose that letter to be received by me at the Foreign Office at one o'clock, and to be sent off that same day to Lord Cowley, and that Lord Cowley on the following day sends it to the French Foreign Office, and a delay of three weeks occurs before an answer is received, would you attribute that delay to the Foreign Office, or to the French Government?—It is impossible for me to answer that question. All I can say is, that if the President of the Board of Trade were authorised to communicate directly with Lord Cowley on a question of that sort, if an answer was not received within a reasonable time, he would write a private note to Lord Cowley, saying that he had received no answer to his question, saying that it was important to get an answer, and asking if an answer could not be got immediately.

2708. Do you think that, at the Foreign Office, we allow things to lie by for a week without asking for explanations?—I know nothing of the practice.

2709. Do you think yourself justified in condemning the Foreign Office in the sweeping way in which you have condemned it?—I have not said one word that was intended to imply condemnation of the Foreign Office.

Veneris, 24° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.	Mr. W. E. Forster.
Mr. Somerset Beaumont.	Mr. Kinnaird.
Mr. Butler Johnstone.	Mr. Laird.
Mr. Cobden.	Mr. Layard.
Sir Minto Farquhar.	Sir Stafford Northcote.
Mr. Seymour Fitzgerald.	Mr. Pender.

WILLIAM EDWARD FORSTER, Esq., in the Chair.

LOUIS MALLET, Esq., called in; and further Examined.

L. Mallet, Esq. 24 June 1864.

2710. Mr. *Pender.*] YOU heard the evidence given by Sir Emerson Tennent, did you not, to the effect that the Colonial Office are in the habit of consulting the Board of Trade in matters connected with commerce?—I did.

2711. Sir Emerson Tennent has stated in answer to Questions 2345 and 2346, that in general the opinions of the Board of Trade are acted upon by the Colonial Office, but that in some instances they have been overruled; do you know to what instances Sir Emerson Tennent refers?—I think Sir Emerson Tennent referred to a very important case, which has led to a great deal of inconvenience in the opinion of the Board of Trade subsequently, namely, the correspondence which took place between the Colonial Office and the Board of Trade on the subject of a proposed commercial union, first of all between Canada and Britsh Guiana in 1855, and subsequently in 1859 a similar proposal for a commercial union between the whole of the North American Provinces. On the first of those occasions, the Board of Trade expressed a very strong opinion to the Colonial Office against the proposed commercial union between Canada and British Guiana, and upon that occasion the Colonial Office acted upon the opinion of the Board of Trade, and objected to the course proposed and stopped that proceeding, and sent a circular to all the British Colonies, intimating the policy which the British Government thought proper to pursue in that case. In the year 1859 a similar proposal was made on the part of Canada and the other North America Provinces, with a view to a commercial union between them; and on that occasion the Board of Trade repeated its objections to the course which was proposed to be adopted, and the Colonial Office, on grounds of general policy, overruled that opinion, and intimated to the Board of Trade that the Duke of Newcastle, who at that time was the Colonial Minister, did not intend to oppose the proposal if persisted in, on the part of the colonies concerned. I think that was the case to which Sir Emerson Tennent referred.

2712. So that the Colonial Office, although coinciding in the views of the Board of Trade, would be constrained to disregard those views if opposed by a Colonial House of Assembly?—I am not prepared to say upon what grounds the Colonial Minister decided that the opinion of the Board of Trade upon that occasion should be set aside, whether it arose from a wish to act in accordance with the wishes of the Colonial Legislature, is a point upon which I am not informed, I can only speak to the fact, that the opinion of the Board of Trade was not adopted by the Colonial Minister.

2713. Since the abolition of the East India Company India has become a dependency of the Crown in the same manner as any other colony is a dependency of the Crown, has it not?—Speaking generally, it has.

2714. I see that Sir Emerson Tennent states in answer to Question 2342, that the India Office never consults the Board of Trade upon any matters connected with Indian commerce; is that correct?—That statement of Sir Emerson Tennent's is perfectly correct, so far as my knowledge is concerned. I cannot recollect any case since the establishment of the India Office in which the opinion of the Board of Trade has been asked upon any question affecting Indian trade.

2715. You are aware that India has conventions with the native princes within her boundary, and treaties with the other States beyond her frontiers; have drafts of those conventions and treaties when commerce has been affected by them been sent for the approval of the Board of Trade?—I have no official knowledge of such conventions. I imagine that they exist, but they are never sent to the Board of Trade, either before they are entered into or after they are adopted, and before they are carried into effect.

2716. The Indian Government has Diplomatic Agents residents at many native ports; do they send home reports to the India Office, and if so are such reports forwarded to the Board of Trade?—They are certainly not forwarded to the Board of Trade; whether they are sent to the India Office or not I am not aware.

2717. In India laws are passed affecting trade in the colonies, and ordinances are passed equally affecting trade; the colonial ordinances are all submitted for the opinion of the Board of Trade previously to Her Majesty being advised to give the Royal sanction to them; do you mean to say that the Indian laws are never submitted in the same way for the opinion of the Board of Trade?—Indian laws are never submitted either for

for the opinion or approval of the Board of Trade.

2718. Alterations in our tariff, like those which were made at the time of the French Treaty, are submitted for the consideration of the Board of Trade; alterations of the tariff of India are of frequent occurrence; are the like alterations in the Indian tariff submitted for the consideration of the Board of Trade?—No, they are not so submitted; nor were the alterations of our tariff at the time of the French Treaty submitted to the Board of Trade.

2719. Do you happen to know the annual value of the trade between India and Great Britain?—Speaking in round numbers it is about 50,000,000 *l.* sterling, backwards and forwards; that was nearly the amount for the year 1862.

2720. It appears, by the evidence given before the Committee, that in matters of foreign trade the opinions of the Board of Trade are only acted upon by the Foreign Office when it is found consistent with political convenience?—That appears to be the practice now observed by the Department.

2721. In matters affecting colonial trade the opinions of the Board of Trade are overruled if they prove to be inacceptable to the House of Assembly, and in matters affecting the commercial interests of our vast empire in India, the Board of Trade are never consulted at all?—Yes. As regards the first part of the question, I cannot state upon what grounds the opinions of the Board of Trade are occasionally set aside by the decision of the Colonial Minister. As regards the second part of the question, I can state positively that the opinion of the Board of Trade is never taken as regards laws affecting the trade of India.

2722. Do you know of a report from a gentleman holding the office of consul at the Island of Zanzibar, made in the year 1860?—I know of the report; I have read it.

2723. Where did you first see that report?—The knowledge of the existence of that report first came to me in a visit from Colonel Rigby, the writer of it, who came to ask me whether the Board of Trade was in possession of that report. That visit took place early in the year 1863; at that time the Board of Trade was not in possession of the report, and I told him so.

2724. That report has since been published in full by the Foreign Office, in a volume containing the commercial reports between 1st July 1862 and 30th June 1863, has it not?—It has.

2725. You are aware, I suppose, that that report is a very valuable report upon trade?—It is an exceedingly valuable report; it contains a great deal of valuable information.

2726. You are also aware that that report must have passed through the hands of the Foreign Office, when an extract was made from it on the Slave Trade?—I presume so.

2727. Was it not the case that the extract upon the Slave Trade was published in the report upon the Slave Trade, and the parts referring to trade were thrown aside?—That appears to have been the case; in fact, it was ascertained to have been the case.

2728. No attention was drawn to it, I believe, until the application was made to the Board of Trade for that report?—That was so. On receiving this visit from Colonel Rigby, and on receiving other inquiries with regard to that report, the Board of Trade made inquiries at the Foreign Office, and discovered that that portion of this report which related to trade had not been published, and had been laid aside. It was subsequently published, I think, in the year 1863, among the other consular reports.

2729. So that the report made in 1860 only reached the commercial bodies interested in it two or three years after it was written?—That is so.

2730. Do you know any other similar case to that which I have just referred to?—I do not; I am not aware of any case precisely similar to that; I have no case to which I could call the attention of the Committee of a precisely similar kind. I can state, generally, that we do not receive reports from a great many of the consuls and vice-consuls and consular agents who appear to be on the list; in fact, I was surprised the other day at looking at the number of those officers who appear to be in the service of the Foreign Office, when compared with the small number of reports we receive. There may be reasons, with which I am not acquainted, for the absence of those reports, but the fact is a striking one.

2731. I see the report in question, the Zanzibar Report, although dated 1860, is published in the Bluebook amongst the papers received from 1st July 1862 up to 30th June 1863; so that that report has been entirely overlooked in the meantime, I suppose?—Yes. I believe there are 500 or 600 consuls, vice-consuls, and consular agents, and the number of reports annually received does not, I believe, usually exceed 100.

2732. If the Board of Trade were in direct communication with those consuls, would such a thing as this occur, in your opinion?—It certainly ought not to occur. If the consuls were under the Board of Trade, I should consider that the Board of Trade ought to see that their reports are sent in regularly, and published at the earliest possible date after their receipt. I have taken out a list, not a complete list, but sufficiently complete to serve as an illustration of my statement with regard to the consuls' reports. These are the names on the list of places at which there are either consuls or consular agents who appear to be resident abroad, but from whom, at the Board of Trade, we have not received reports: Alexandria, Algiers, Borneo, Bahia, Bayonne, Belgrade, Bucharest, Cape Verde Islands, Cologne, Cadiz (I have Elsinore on the list, but a report has been received from Elsinore since), Feejee Islands, Guadaloupe, Galatz, Hayti, Havannah, Jassy, Leghorn, Martinique, Mexico, Malaga, Manilla, Rotterdam, Nicaragua, Oporto, Ostend, Pernambuco, Paris, Rome, Smyrna, St. Domingo, Seville, St. Salvador, Surinam, Santos, Trieste, Valparaiso, and Callao. I do not pretend to say that that is a complete list, but they are illustrations to show that I have not made a statement without some grounds. These reports have not been received at the Board of Trade.

2733. Are all communications relating to trade that come through the Foreign Office printed by the Foreign Office or by the Board of Trade?—Formerly they were prepared for publication at the Board of Trade, but within the last three or four years that practice has been changed, and now they are entirely prepared and presented to Parliament by the Foreign Office; the Board of Trade have no part whatever, either in the preparation for publication or presentation to Parliament.

2734. Would the commercial bodies not be more

L. Mallet, Esq.
24 June 1864.

more open to receive correct information, from the Board of Trade, when they apply to the Board of Trade for information, if all those documents were printed and cared for by the Board of Trade?—I have always understood that the consular reports presented by the Foreign Office to Parliament have been found very interesting by the commercial public. I know they have had a very large sale, I believe a larger sale than almost any Parliamentary Paper, and I have not heard complaints of the reports themselves; on the contrary, I have always been led to believe that they are very useful and acceptable to the commercial public. Many of them are certainly very valuable. I am not prepared to state whether any preparation by the Board of Trade would make them more acceptable to the commercial public. I have not heard any complaints of the mode in which they are given to the public under the present system.

2735. Are you aware of any office that in any way represents the commercial interests of England with India?—Not in this country. The India Office, as far as I am informed, is a self-contained office; it appears to consider that it is competent to discharge all the functions of government which fall within that branch of the Government service without going to any office for the purpose of pure consultation. Of course the India Office must be in constant correspondence with the great executive departments of the State when questions arise upon which it is necessary to consult them; but, as far as the Board of Trade is concerned, the India Office certainly never consults the Board of Trade upon questions connected with trade.

2736. Would it not be for the interest of the trade of this country if the India Office were to consult the Board of Trade, in the same way as the Foreign Office do, upon all matters relating to our export trade?—I think that depends entirely upon whether, in the arrangements of the Government departments, the principle is adopted of having a consultative department to advise the great executive departments of the State, or whether it is considered better that each of the executive offices of the State should be a self-contained office, consulting officers of its own, or anybody whom it pleases to consult, with a view of obtaining the information it requires for the purpose of acting. I think that the answer to the question depends entirely upon the principle which is adopted in that respect. I think one principle or the other ought to be clearly understood, and most decidedly adopted; it is the absence of any clear principle which I think leads to the present difficulty in these arrangements.

2737. You are satisfied, then, that there is no department of Government which, in any way, looks after the interests of British trade with India?—Except the India Office, so far as I am informed.

2738. Sir *Minto Farquhar*.] You were asked, at the last sitting of the Committee, some questions with reference to your position in Paris, and it was stated that you had been offered by the French Minister that you should accompany a French minister to Berlin; was not that so?—I received no offer whatever of that kind.

2739. Did I not understand you to say, the other day, that when the French Government was communicating with Berlin, it was suggested by the French Minister that he would be very glad if you would accompany him?—No; all I know is that, at the conclusion of the negotiation at Paris in 1860, the minister by whom the negotiation was conducted on the part of France expressed a private opinion of his disposition, and the disposition of the French Government, to co-operate with the British Government in those negotiations. That invitation was conveyed to me privately, in the course of my intercourse with M. Rouher and Mr. Cobden; it was never conveyed to me officially, or with a view of my communicating it to my Government. I was, of course, bound to assume that the communication was intended to be made officially, and was made officially to and properly laid before the British Government; I considered that I had nothing to do in the matter.

2740. Supposing you had accompanied the French minister, what part would you have played?—That must have depended entirely upon the part which the British Government was admitted to take in such negotiations.

2741. Do you think that you could have taken any part without communication with the British minister resident at the place in which the negotiations were conducted?—I think not. In the case of the negotiations at Paris, Lord Cowley was associated with Mr. Cobden in all the negotiations. I imagine that that course would equally be adopted in any similar case; I should think it most desirable that it should be adopted.

2742. You have been sent for the purpose of assisting with your knowledge upon questions of tariff details to several places, have you not?—I can only say that I have been sent to perform specific work. I was sent to Paris subsequently to the treaty, with a view to assist Lord Cowley in particular questions which had arisen. I was also sent both to Berlin and to Turin, but no occasion arose for actual work. My duty was confined to examining the situation, and reporting the result of my inquiries.

2743. Did you observe, at any places which you have been to, any indication, whether the question were of great importance or of minor importance, that the persons who represented this country there did not show the most anxious desire to promote in every way they could the commerce of this country?—I have observed in many cases a very great amount of intelligence, and a very great amount of zeal, on the part of the representatives of this country. Certainly, both at Berlin and Paris and Turin, I found the greatest possible disposition to co-operate cordially with me, and to give me every assistance in their power to obtain information in the best possible manner. Nothing could have been, to my mind, more thoroughly satisfactory than the manner in which both Lord Augustus Loftus and Sir James Hudson co-operated with me. On both occasions I had every possible assistance given to me; nothing could exceed their efforts and endeavours to promote the object for which I was sent.

2744. In fact, in your communication with them, you found that they attached great importance to the questions of trade particularly?—Certainly.

2745. Do I rightly collect from your evidence that you think it advisable to separate entirely the action of the Board of Trade and the Foreign Office upon questions of commerce, so that the Foreign Office should have the conduct of the political portion of its communications with foreign

foreign States, and that the Board of Trade should entirely reserve to itself all questions of foreign commerce and tariffs?—I think that the intention of my evidence must have been misunderstood, if my former evidence was understood as tending to show that such a division was desirable. On the contrary, my opinion very strongly is that it is impossible to separate between the political and commercial points which arise in the negociation of questions of this description; I believe by far the best way of conducting them is that both branches of questions should be conducted by the same minister in the same department. With respect to my remarks as to the possibility of the Board of Trade undertaking to perform that part of its business, I made them merely with the view of providing that alternative course which I think, although objectionable in principle and by no means altogether satisfactory in practice, would be nevertheless far better than the present system.

2746. I judge that you are of pretty much the same opinion as Sir Emerson Tennent, that if you had direct communication with the ministers, consuls, and agents abroad, you would always send your communications either under flying-seal through the Foreign Office, or inform them of what you had done?—I am not myself aware of any practical objections that would arise to such a course; I think the thing might be done, by cordial co-operation between the two departments, without giving rise to practical inconvenience.

2747. It has been stated here, that if the foreign agents communicated directly with you instead of with the Foreign Office, as they know that you are at all times entirely taken up with the investigation of commercial subjects, it would promote more emulation and spirit amongst them, in dealing with commercial questions, if they found that the communications went straight to you?—It seems almost indispensable, in order to infuse spirit into a business, that the people who carry out the policy should be in communication with those who inspire it, and who possess the real knowledge upon which they have to act; I think that is very important with reference to a satisfactory and zealous discharge of the duties.

2748. The impression seems to be that the Foreign Office do not encourage their agents to look to commercial subjects; it was to that I referred?—I have no doubt that the Foreign Office wish to encourage them in every way; but I think, from my own observation, that the absence of that sort of habit of dealing with commercial questions which, as Mr. Hammond himself stated, exists in the Foreign Office, cannot but operate to prevent that kind of constant interest and close watching of commercial questions which is important, in order to bring about the results which we desire.

2749. Do you not think that in many negotiations which take place abroad, upon questions of commerce, questions of policy intervene considerably in preventing any progress being made?—So much so, that I feel it almost idle to express an opinion upon an abstract question of trade in total ignorance of the political circumstances of the moment at which that opinion is given.

2750. We have adopted the principle of free-trade, and of course endeavour to encourage it as much as possible; cannot you conceive that there may be very many political questions affecting foreign countries that would delay the completion of satisfactory arrangements between the countries upon commercial matters?—Obviously, such difficulties must constantly arise.

2751. Take the case of the Belgian Treaty: cannot you conceive that, during the year which elapsed before a treaty was signed with this country, there were many difficulties which the Belgian Government had to overcome in their own country, which prevented their giving us the advantages they were bound to give us?—I know that there were such difficulties.

2752. Do you think, therefore, that in what was done by the Foreign Office, they did not press forward sufficiently strongly to enforce their views, and that the cause of delay was owing to the action at the Foreign Office not being sufficiently vigorous?—That is a question which I am quite unable to answer. I wish the Committee to understand that the Board of Trade are placed in such a position that they are totally unable to give an opinion upon those points, because the Board of Trade knows nothing of the political difficulties which exist on the part of the Foreign Office in pressing those negotiations. When I say the Board of Trade I speak now of the permanent officials, not of the President of the Board of Trade.

2753. I collect from your evidence that you think it would greatly facilitate the communication between the two offices if there were a person in the Foreign Office whose special attention was turned to questions of commerce, and who would see that as soon as any communication came into the Foreign Office relating to commerce, they should be at once forwarded to you without delay?—I do not think that I expressed an opinion very decidedly in favour of that course. I think it might be a mechanical advantage if there were some person there to see that the correspondence was conducted with promptitude and despatch, but I said I was not sufficiently acquainted with the internal arrangements of the Foreign Office to know how far such an arrangement would be desirable; I think it is a matter of subordinate importance.

2754. Considering the remarks which have been made about the communications between other offices and the Board of Trade, do you, having had so long and able an experience in the Board of Trade, think it desirable to concentrate all the affairs relating to commerce in the country generally in the Board of Trade, and that there should not be communication with the other offices? Take the Colonial Office, for instance; would you not think it necessary to continue the correspondence with the Colonial Office with respect to any question likely to arise in a Colony, or would you think it advisable that the Board of Trade should have the control of all matters connected with commerce, and that either the President of the Board of Trade or a Minister of Commerce should have all those subjects under his eye?—I think it would be quite impossible that the President of the Board of Trade or a Minister of Commerce could have any control over the colonial policy, or even that he could have that control if his position were strengthened as has been suggested; what he would be able to do would be to advise any great executive department of State, and to express his opinion with such degree of authority and weight that his opinion, if it were not acted upon, should be

L. Mallet, Esq.

24 June 1864.

submitted to the Cabinet and become a political question.

2755. You approve, then, of the present consultative position of the Board of Trade?—I think the weak point in the present Board of Trade is that as a consultative office it does not possess sufficient weight; if retained as a consultative office, it ought to have given to it that degree of authority which would ensure its opinions when expressed being adopted, unless set aside through a decision of the Cabinet.

2756. When you were in Paris you heard what the system of the Ministry of Commerce was there; does the Minister of Commerce superintend entirely and exclusively all the commercial matters connected with trade, foreign and internal, in Paris, or does he communicate according to our practice upon questions of foreign commerce with the Foreign Office?—In the Foreign Office at Paris there is a Commercial Department whose business it is to attend to the commercial questions which arise in the foreign relations of France. That department corresponds, when it requires assistance or advice, with the Foreign Trade Department in the Ministry of Commerce. Of the exact way in which they divide their duties, I am not precisely informed; but, speaking generally, the Foreign Trade Department in the Ministry of Commerce is more especially charged with the duty of superintending the changes in the tariff of France, while the Commercial Department in the Foreign Office would be more specially interested in negotiations with foreign countries, and in endeavouring to obtain concessions in the tariffs of those countries. I may state that at the Conferences at Paris, during the negotiations with respect to the supplemental convention, the official assistance given to those Conferences was given by the Commercial Department of the Foreign Office; the permanent officials who took a part in that negotiation were officials of the Foreign Office, and not of the Ministry of Commerce; they were acquainted with all the details which arose in the course of those negotiations, and were perfectly able to advise the Minister upon every question which arose in connection with those details.

2757. You gave us, on your last examination, an explanation of the course of proceeding, describing how any letter sent to you must be forwarded through the President of the Board of Trade to the Foreign Office, in order that an application may be made by the Foreign Office to Foreign Governments: upon any question of small details, I suppose you very seldom get any application at all from the Foreign Office, do you?—I am hardly aware of the practice of the Foreign Office with regard to matters of trivial importance; I can only say that we often receive from the Foreign Office applications or complaints made to them, respecting matters of detail in particular branches of trade which have been affected; whether there are other applications made to them which are not sent to us or not, I am not aware.

2758. Supposing that the Foreign Office had received the letter (which the Honourable Member for Rochdale mentioned at your last examination) about the fluid magnesia, it would be hardly necessary that a communication of so comparatively trivial a character as that should be sent to you, would it?—It is very difficult to say what question is trivial; that question, when I came to look into it, I found to be not so trivial. In order to answer the question raised in that letter, it would be necessary to examine very carefully the provisions of the French Treaty, and to obtain information (which at the Board of Trade we do not now possess) as to the French law with regard to patent medicines and secret medicines; in short, the case will require a great deal of careful investigation; and it will be necessary, in order to obtain that careful investigation, that it should be sent to Paris, and that some agency should be employed in Paris to give us the requisite information.

2759. Supposing I had received such a communication, and had gone to Mr. Layard, or any gentleman who was the Parliamentary Under Secretary at the Foreign Office, and had given him this letter, he would have sat down and sent by that post a copy of the letter to Lord Cowley, or to our Minister in any European Court; do you not think that the probability is that, within two or three days, a perfectly clear explanation would have been received at the Foreign Office, without any reference to the Board of Trade at all?—That I can hardly state. It certainly is not in accordance with my experience to think that questions of that sort would be dealt with, from first to last, by the Foreign Office without consulting the Board of Trade. I could refer to cases larger in scope, but not more important in the principles involved, and not more distinct from the questions of detail connected with them, upon which correspondence has taken place between the Foreign Office and the Board of Trade. It seems to me, that so long as the Foreign Office abstains from dealing with what they call the details of these questions, this must be the case.

2760. Supposing that Lord Cowley receives such a letter as this from Mr. Layard, he gives it to Mr. Grey, or to some attaché, and says, "Take this to the proper party, whoever he may be, consult him, and let me know what he says about it:" when he received the answer to that inquiry he would inform the Foreign Office, and if any further difficulty turned up they would consult the Board of Trade; would not that be the course?—No doubt. I think in that way inconvenience sometimes arises. There is a case which I may mention to the Committee, as Mr. Hammond has already referred to it, which arose last year with reference to the exportation from England of petroleum oil, and another case which involved a similar question with reference to the exportation from England of sewing-machines. In the case of the sewing-machines an application was made, in the first instance, to the Foreign Office; the Foreign Office (thinking, very naturally, that it was a case which it was not necessary to consult the Board of Trade upon) sent an instruction to Lord Cowley at Paris to make proper inquiries upon the subject, and to represent it to the French Government. The answer of the French Government was of a kind which made it appear that the question which had been raised involved principles which were not at first sight apparent to the Foreign Office. The question was then referred to the Board of Trade; the Board of Trade made a long report to the Foreign Office on the subject, and further representations were made to the French Government; but the effect of that double operation was, in my opinion, that the representation made to the French Government having been made in the first instance without such a distinct statement of the principles involved, and such a detailed exposition of the points

points as was subsequently submitted to the Foreign Office by the Board of Trade, caused the second representation containing those distinct specifications to come with less advantage before the French Government, which had already committed itself to a particular answer, than if the application had been made in the first instance in such a way that it would have been impossible for the French Government to give the answer to it which they did give to the application which was actually made.

2761. Mr. *Somerset Beaumont.*] I believe there are negotiations going on now with several Foreign Governments with a view to commercial treaties, are not there; for instance, are not there negotiations going on between Prussia and Austria and this country?—I am hardly informed as to how far it can be said that those negotiations are still in progress; there is a pending negotiation with Prussia. At the time of the conclusion and signature of the treaty between France and Prussia on the part of the Zollverein, the British Government had brought a negotiation with Prussia with the view of obtaining similar concessions to a conclusion; since then, everything has waited the conclusion of the arrangement between Prussia and the Confederate States forming the Zollverein. In that sense, no doubt, it may be said that there is still a pending negotiation for a commercial treaty between the British Government and the Prussian Government.

2762. In July 1862 the Board of Trade addressed questions to the Chambers of Commerce, asking for information upon the tariffs of Austria, and I think also of the Zollverein, did it not?—Such communications were made, but the precise date I cannot speak to.

2763. I have before me a copy of a letter which was addressed to the Newcastle Chamber of Commerce, dated 29th July 1862; it is signed by Sir Emerson Tennent. He informs the Chamber of Commerce that negotiations have been commenced with Austria with a view to the conclusion of a new commercial treaty; was that a commercial treaty which was in contemplation to be made with that Government independently of the Zollverein, or were the political relations with Austria at that time such that there was any chance of a distinct commercial treaty being made between England and Austria?—So far as I am informed, the intention was that that should be a distinct negotiation between the Austrian and the British Governments.

2764. Has it been the case that political considerations have interrupted those negotiations?—Of that I know nothing; I have not heard since that time what steps have been taken in reference to the negotiation; it has not proceeded to any further stage, so far as the Board of Trade is concerned.

2765. Therefore I gather that no communications are made at present to the Board of Trade with respect to any negotiation which may be going on between Austria and this country?—I am not aware, so far as my knowledge at the Board of Trade extends, of any negotiations at present between the Austrian and British Governments for a commercial treaty.

2766. Are you aware whether there have been any communications addressed to the Foreign Office by Lord Bloomfield, since the date of 1862, respecting a commercial treaty?—I have seen several despatches from Lord Bloomfield on the subject, generally, of the commercial relations of this country and Austria.

2767. Was not there a project for a new tariff published in Vienna last year?—There was a tariff published; in what sense published I am hardly informed, but it was published no doubt with the sanction of the Austrian Government. As I understand, it was the project of a tariff as between Austria and the Zollverein, not as between Austria and other foreign countries; it was, in fact, a project of a tariff to be substituted for what is merely an intermediate tariff between Austria and the Zollverein States.

2768. I think that project was communicated to the different Chambers of Commerce in the Austrian Empire?—I believe it was.

2769. Was that tariff communicated to the Board of Trade?—It was obtained for the Board of Trade; it reached us during the early part of this year.

2770. Was it communicated officially to the Board of Trade?—It was communicated officially by the Foreign Office to the Board of Trade.

2771. What was the date at which it was communicated?—I have not got the date in my head, but I can very easily obtain it for the Committee.

2772. That tariff was published in November, was not it?—It was.

2773. A question was asked of the Vice-President of the Board of Trade, on the 18th of February, as to whether the Board of Trade possessed a copy of that tariff, and the Vice-President of the Board of Trade said that the Board of Trade had not got it; are you aware of that fact?—The Board of Trade did not possess it at that time; the tariff was received subsequently to that date, either at the end of February or the beginning of March.

2774. Would it not have been usual that a tariff proposing to alter the commercial system between Austria and the Zollverein should have been communicated to the Board of Trade?—I think there can be no doubt that that is a kind of law which ought to have been communicated to the Board of Trade; but I may state that the intermediate tariff itself, which is now in existence between Austria and the Zollverein, was not communicated to the Board of Trade at the time when it was adopted, nor did it reach us for a very long time afterwards.

2775. If there were more direct communications between our representatives abroad and the Board of Trade, do you not think it likely that such a document would have been communicated, as a matter of course, immediately after its publication?—I think if there was that kind of constant and free intercourse between the department of Government, or the Minister who really conducts, you may say, the foreign commercial business of the country, and the British agents who give effect to that policy in foreign countries, there would be a greater amount of interest and energy imported into that branch of the public business than now exists. I think, certainly, that free and personal intercourse would impart a much greater amount of interest to the work than can be obtained by the indirect and circuitous mode of communication which now exists between the Board of Trade and the British Ministers resident abroad.

2776. Mr. *Butler-Johnstone.*] Is not there, in the Board of Trade, a separate department which takes cognisance of lighthouses?—There is.

L. Mallet, Esq.
24 June 1864.

2777. Who is the head of that department?—That is a division of the Marine Department; the Marine Secretary is Mr. Farrer, and the Lighthouse branch is one of the sections of his department.

2778. Is not there a head of that section of the Marine Department?—There is a clerk at the head of each section, the Lighthouse section among others.

2779. What is the connection of Admiral Sullivan with that branch of the department?—Admiral Sullivan is a consulting officer of the Board of Trade, who, I believe, among his other functions, attends to lighthouses, and so forth. When I spoke of the clerk at the head of the department I did not refer to Admiral Sullivan, of course; I believe Admiral Sullivan has cognisance of what goes on in that department.

2780. Do you not, upon questions with respect to lighthouses, sometimes have to refer to the Admiralty?—I believe there is a correspondence between the Lighthouse division of the Marine Department of the Board of Trade and the Admiralty occasionally.

2781. Are there not complaints made of the Board of Trade taking the initiative without consulting the Admiralty?—That is a question which I am not informed upon; I have not any knowledge of the correspondence that takes place between that department and the other offices of the Government.

2782. Would not the appointment of a separate department in the Foreign Office for Commerce by itself, resemble this separate department for Lighthouses in the Board of Trade; and would it not, like it, on important matters have to consult another office altogether, such as the Admiralty in the one case, and the Board of Trade in the other?—I think a Commercial Department in the Foreign Office would be under the necessity, on many occasions, of consulting other departments of State. But the principle which I endeavoured to explain on the occasion of my former examination is, that there should be no one office of State whose business it should be to collect information, without reference to its executive duties, merely for the purpose of advising the executive offices, but that each executive department should be self-contained, and should be provided with officers competent to advise it on all matters that come within its province, and that it should consult another executive office solely upon those questions which fall within the executive work of that department.

2783. Except in cases of commercial treaties, which are of rare occurrence, would there be sufficient permanent work for such an officer as a Minister of Commerce in this country, supposing such an office to be created?—I think that if the Minister of Commerce were assigned the functions now pertaining to the President of the Board of Trade, in respect of shipping and railways and other miscellaneous work which now devolves upon the department of the Board of Trade, not only would such a Minister be fully employed, but my doubt is whether he would not have more duties to perform than he could discharge.

2784. I refer to foreign commerce alone?—I do not think that the business connected with foreign commerce would be sufficient to occupy the full time of any one Minister, but I think it requires a considerable amount of time, and probably more time than, under the present arrangement, any one Minister can give to it.

2785. Does the Minister of Commerce in France ever communicate directly with the French agents abroad?—One case has fallen within my knowledge in which such a communication has taken place. Whether that was of an exceptional kind, similar to a case which occurred in Paris in which Mr. Cobden was instructed to communicate with the Board of Trade directly, I am not informed.

2786. Had that reference to the negotiation of a treaty between France and another country?—It had reference to the negotiation between France and the Zollverein. I know that the French Minister who negotiated the treaty with the Zollverein at Berlin was in direct and daily communication with the Minister of Commerce in France, and received instructions from him upon every point connected with the negotiation.

2787. If there were such a separation as you have suggested between the offices, considering how intimately connected politics and commerce are, would not the same delay take place whether the Foreign Office or the Board of Trade took the initiative, because the question would have to be sifted by the other office? If the Board of Trade took the initiative, it would still have to go through the Foreign Office for the approval of the Foreign Secretary, would it not?—No treaty could be concluded, of course, without a full examination by the Foreign Secretary; but I imagine that in the ordinary course of business in the conduct of a negotiation, or as regards any purely executive business which is carried on from week to week between the Foreign Missions and the Home Government, there would be no necessity for that close superintendence on the part of the Foreign Office; in fact, there would be no occasion for a greater amount of attention to those questions than is now given to them.

2787.* I will read to you what you said in your last examination, in answer to Question 2644: "Those communications might be made, if necessary, through the Foreign Office, who might control or stop any communication of that sort;" what did you mean by that?—I meant that it would probably be thought necessary that the Foreign Office should have the power of stopping any communication sent out from another department of the State to a foreign country, in case political reasons might exist, with which that department was not acquainted, which made such a communication inconvenient.

2788. In that case there would be a supervision only transferred from one office to the other, would there not?—It would hardly amount to supervision; the kind of control which I contemplated was merely seeing that an instruction given by the Board of Trade, at a particular moment, did not clash with any political considerations which were paramount at that moment.

2789. Among the inconveniences which you referred to, one was that the "Gazette" was only published twice a-week, and that the information contained in it came some days later than was necessary to the commercial classes; have you any suggestion to make with a view to obviating this defect?—I think one mode of obviating it would be to publish the "Gazette" every day, and to publish it for one penny instead of for 6 *d.*; that would no doubt considerably diminish the inconvenience which exists at present.

2790. Was

2790. Was the Colonial Minister who set aside the opinion of the Board of Trade relative to the American commercial union the Duke of Newcastle?—It was the Duke of Newcastle who set aside the opinion of the Board of Trade, in 1859, with reference to the proposed commercial union between the North American Provinces.

2791. Did he state his reasons to the Board of Trade for doing so, or not?—It was stated generally that, upon considerations of general policy, he thought it not expedient to oppose the wishes of the Colonial Legislatures.

2792. Was there any discussion between the Departments on that point?—There was no discussion whatever between the Departments. I am not aware of any between the Ministers, but that is beyond my province.

2793. Mr. *Layard.*] With reference to an answer which you have just given on the subject of the Austrian Treaty, have you any grounds for believing that the Austrian Government were prepared to enter into a commercial treaty with this country?—None whatever.

2794. You have no grounds for believing either one way or the other?—No; I am quite uninformed.

2795. You do not know whether any negotiations were carried on by the British Government with the Austrian Government?—I know of nothing beyond a communication, which I believe was made by the Foreign Office to the Board of Trade at the close of 1860 or the beginning of 1861, in which the Foreign Office requested the Board of Trade to prepare a draft of a treaty for negotiation; with reference to which the Board of Trade was subsequently informed that, for political reasons, Earl Russell did not open that negotiation, or continue it. And on a subsequent occasion, I think in 1862, the Board of Trade was again requested to send a draft treaty, or at all events was informed that Earl Russell proposed to offer a treaty.

2796. Therefore, you can give no information to the Committee as to whether the British Government were in communication with the Austrian Government, or not, with regard to a treaty?—No, none whatever.

2797. As to the tariff which was mentioned by the Honourable Member for Newcastle, are you aware that we asked for the tariff, and that Count Rechberg said that it was an entirely unauthorised document, and not even printed, but only in lithograph, of which he had no knowledge whatever?—I am not aware of it.

2798. Are you aware that it was some time before we could obtain a copy from Count Rechberg, and that he stated that it was not an official document?—I am not informed of any correspondence which passed with Count Rechberg with reference to that subject.

2799. You say that there has been less communication recently than there was formerly between the Board of Trade and the Foreign Office; will you give your reasons for that statement?—I did not mean to say that there had been less communication, because I believe that with regard to the amount of correspondence, it is as large, if not larger, than in the former years to which I referred. What I meant was, that in the earlier part of my connection with the Board of Trade it was more the practice of the Foreign Office in the case of commercial negotiations to request the Board of Trade to conduct those negotiations by personal intercourse with the Foreign Ministers who were charged with their conduct in London; that was the point which I intended to enforce, and I referred to three cases in which, within my own knowledge, that practice had been adopted by the Foreign Office.

2800. You say, I think, that the information on questions as to which it is important to communicate to the public the earliest information reaches you too late very often for useful publication: whose fault is that; do you believe that that is the fault of the Foreign Office, or the fault of our agents abroad in not communicating the information sooner?—I am unable to answer that question; I have no means whatever of forming any opinion on that point; I know nothing beyond the fact that the information does reach us not unfrequently later than is requisite, with a view to giving to the public prompt information upon commercial changes.

2801. Have you any reason to believe that this information, having been received at the Foreign Office, is withheld from the Board of Trade?—I have no reason to believe that; on the contrary, my opinion is that all information received at the Foreign Office is at once communicated to the Board of Trade.

2802. You said, in answer to the Honourable Chairman: "We consider that we ought always to make public any law or regulation of a public kind, and any public act of a foreign Government, which effects a change in the commercial laws of a foreign country affecting British trade;" has not the Foreign Office directed our agents abroad to send at once for communication to the Board of Trade all such laws and regulations as are here alluded to?—Most certainly; I know that to have been done on more than one occasion by distinct instructions.

2803. You appear to object to the system of publishing those laws and regulations in the "London Gazette," do you not?——I do not think that I objected to their being published in the "London Gazette;" my objection was rather to the "London Gazette" as a newspaper which only appeared twice a week, and which is therefore not a convenient publication to give information of that kind to the public. If the "Gazette" appeared every day, and was published at rather a cheaper price, the delays to which I have referred would not occur to the same degree; and in case of prompt communication from the Foreign Office, the publication of those notices in the "Gazette" by the Board of Trade need not lead to more than one day's delay in consequence of their passing through the Foreign Office.

2804. I think that your answers rather led to the inference that you contrasted, rather unfavourably, the "Gazette" with the French publication called the "Annales du Commerce"?—I did not intend in any way to compare those two publications, in the sense in which my remarks seem to have been understood. The "Annales du Commerce" does not profess to give information in the same way as the "Gazette." The "Gazette" is simply a newspaper, published by the authority of the Government, containing information upon specific laws or acts of the Government, but the "Annales du Commerce" is a publication of a totally different kind; it is a compilation not published with the authority of the Ministry of Commerce, but prepared by officials of that department for publication, I think, mainly containing the results of

L. Mallet, Esq.

24 June 1864.

the important international questions which have arisen in a certain period preceding the publication of that number of the "Annales," for the information of the public; but it is not published with a view to immediate action on the part of the commercial public at all; it is rather a historical record.

2805. Is it not published under the authority of the Minister of Commerce?—It is prepared by the officials of the Ministry of Commerce, under the sanction but not with the authority of the Minister, and I believe it pays its own expenses.

2806. If such a publication were printed and published in England, it would not be by the Foreign Office but by the Board of Trade, in order to make the comparison complete?—Yes, no doubt.

2807. Therefore it is no condemnation to the Foreign Office that we do not publish a similar work?—Not in the slightest degree, in my opinion.

2808. You have stated that in the "Moniteur" the French publish the changes affecting their own commerce, and not the commerce of other countries?—I believe not, except in those cases where those changes are the result of a treaty between France and other countries.

2809. In the "Gazette" we publish all treaties affecting our commerce with other nations, do we not?—Yes, all laws of foreign countries affecting British trade.

2810. In that respect the "London Gazette," therefore, is better, and contains more than the "Moniteur"?—Yes, in that respect the "London Gazette" contains more. I am not aware that the French Government has any other channel for making public the laws of other countries.

2811. Could not the Board of Trade publish daily, or twice a week, or oftener if necessary, some paper such as you have described, giving commercial information?—I can see no reason why it should not be done.

2812. That would be a matter for the consideration of the Board of Trade and not of the Foreign Office, would it not?—Yes, no doubt.

2813. Can you give any particular instances of information which has not reached you from the Foreign Office in time?—I can give several cases in which decrees appearing in the "Moniteur" did not reach us in time for publication. But I have not thought it necessary to make up any great number of cases, because I thought that the Committee would be satisfied with the general results of my experience. I have, however, here a list of several cases in which the decrees published in the "Moniteur" affecting English trade were not communicated to the Board of Trade in time, as I stated the other day, and repeat now. I may mention (as being, I think, a sufficient fact in confirmation of what I have stated) the habit of the Statistical Department, which is charged with the preparation of the Returns to Parliament, showing all the changes in matters of commerce during the year. The system of that department is to consult not the documents received from the Foreign Office, finding that they are not sufficiently complete for the purpose, but the "Annales du Commerce," and other documents which they obtain from private sources, and which the Board of Trade takes in; in short, any information upon which they can lay their hands, that is to say, any information which they consider sufficiently reliable. They disregard the correspondence which comes from the Foreign Office. That is, as I have been informed, the practice of the gentlemen in the Statistical Department. That in itself I consider to be most conclusive proof of what I said as to the irregularity with which these notices are communicated to the Board of Trade. The following are some of the more recent decrees which have appeared in the French "Moniteur" with regard to important commercial changes, and which have been gazetted by the Board of Trade from that journal before receiving them from the Foreign Office:—In the "Moniteur" of the 8th July 1862, decree effecting reduction of duties on sugars imported into France. "Moniteur," 3d July 1862; decree opening Custom House of Chambèry for importation of cotton and woollen yarns. "Moniteur," 6th November 1862; decree authorising free importation of bleached tissues for dyeing. "Moniteur," 29th November 1862; decree opening Custom House at Dieppe for the importation of British tissues taxed *ad valorem*. "Moniteur," 6th December 1862; decree opening Custom House of Treguier for importation of certain merchandise. "Moniteur," 30th December 1862; decree notifying drawbacks on salt; decree modifying import duties on salt; decree exempting certain articles from duty. "Moniteur," 6th January 1863; decree fixing duty on natron imported into France. "Moniteur," 1st February 1863; decree opening Custom House at Honfleur. "Moniteur," 23d April 1863; the same, and decree opening Custom House at Granville. Moniteur, 19th July 1863; decree modifying rates of import duties on numerous articles. "Moniteur," 19th July 1863; decree establishing import duties on petroleum. Again, the "Moniteur" of the 22d instant (June 1864) contains a decree modifying the duties on raw beetroot sugar imported into France; no copy of this decree has yet (25th June) been received from the Foreign Office. The list that I have given is intended rather as an illustration than an exact list of all the cases (which are numerous) in which the Board of Trade has published notifications of decrees, &c. which have appeared in the "Moniteur," and of which the Foreign Office has forwarded copies at a later period.

2814. Did you ever call the attention of the Foreign Office to the omission of those decrees?—We have done so from time to time, but it is a kind of duty which we hardly like to offer to undertake; it would lead to a great deal of correspondence, and it is not exactly the business of the Board of Trade to be pointing out any omissions of that sort which arise on the part of the officers of the Foreign Office. Although we have occasionally done it, as a rule we have not done it; but it would be very difficult and very tedious to write upon every occasion when we find in the "Moniteur" a decree before we have received it at the Board of Trade from the Foreign Office.

2815. I presume, then, that this omission is on the part of our agents abroad?—I presume so.

2816. Supposing those agents were under your orders, would they, having probably received the same circular which we have sent to them, be likely to make fewer mistakes than they do in their correspondence with the Foreign Office?—That I am quite unable to say; I think the sort of change which might be brought about would be that the members of the foreign missions would

would be brought to take a more active and direct interest in commercial questions, and consequently be less likely to omit the transmission of important information than we find to be the case now; that is rather the tendency of the reform which I should think might be brought about, by bringing those agents into more direct communication, official, and personal, with the department which ultimately deals with these questions.

2817. Upon what ground do you say that our agents abroad do not take an interest in commercial questions?—I am not aware that I have made any statement of the kind. I often find that the information does not reach us with regularity and completeness, and I can attribute it to no other cause than to the want of interest in those questions, which, if it existed, could hardly fail to lead to a careful and rapid transmission of all information affecting trade. It is purely an inference from what I see before me. I have no right to make such a statement, nor do I wish to make it.

2818. I think you have said that, as far as your personal experience has gone, you have found the members of our missions abroad very anxious to promote the interests of British commerce?—Yes, exceedingly so; I may refer to the case of Mr. Morier and Mr. West, whose reports, as well as those of Mr. Barron, at Brussels, and Mr. Grey, at Paris, are exceedingly able. Mr. Barron's last report is one which reflects the highest possible honour upon him, and makes me feel that the idea that it is impossible for diplomatic agents to master commercial questions cannot be entertained for a moment. I am convinced that either of those gentlemen whom I have named would be perfectly competent to undertake the conduct of questions affecting trade. Of course, they would have to go through a certain amount of training for the particular purpose; but it illustrates my idea that you cannot draw the broad line which has sometimes been attempted to be drawn between commercial and diplomatic duties.

2819. You would presume that if there were any omission to send home those laws and regulations affecting commerce, it was rather from oversight than from a desire not to take an interest in matters affecting commerce?—I am quite certain that it is not from disinclination. I think it may arise from an absence of that knowledge of commercial questions and interest in them which I think can only be induced by personal intercourse with that branch of Government which really follows these questions with knowledge and interest.

2820. Is there any objection to your taking in the "Moniteur" at the Board of Trade, and seeing for yourselves what decrees there are in the "Moniteur" affecting the interests of British commerce?—We do take it in, and we do look at the decrees, and we do publish them very often without having received them from the Foreign Office; such has been our practice. I can hardly say how far it has been approved of by the Foreign Office. On one occasion, when we asked the question lately, the Foreign Office gave an answer which led us to think that they did not quite approve of the publication of any information by the Board of Trade which was not received from them.

2821. Sir *Minto Farquhar.*] When you speak of not having received those communications from the Foreign Office, do you mean to say that you did not receive them at all, or that you only received them after a considerable delay?—I mean that the communications were received considerably after the time at which they had been made public. I am not aware that we received all of them even after long delay.

2822. Mr. *Layard.*] Have you the letter with you which you have referred to?—I have.

2823. Does not the Foreign Office rather allude, in their letter to you, to information obtained from private sources, which is not always authentic?—I presume that that must have been the intention; there was some little misunderstanding about it.

2824. Do you not think it advisable not to publish information which, not being authentic, might sometimes mislead persons engaged in trade to their disadvantage?—I think it very important that this information should come through one channel, and that that channel should be the authentic one. I may state, with reference to the difficulty which the Board of Trade would feel in publishing notices appearing in foreign newspapers, of an official kind, that did not reach them through the Foreign Office, that it would involve the necessity of the Board of Trade taking in the newspapers of all the principal Governments in the world, which we are very far from doing now, and which we should have great difficulty in doing; and the further necessity of examining them carefully; and that examination would require a great deal of labour more than we can give. Therefore, the only way of giving such information in a complete manner is through the Foreign Office; we hardly feel justified in adopting a practice which we cannot completely carry into effect.

2825. If we could get our representatives abroad to be still more careful than they are now, in sending everything, and if they did send everything, that would remedy the evil which you complain of, would it not?—Yes.

2826. You do not, I presume, mean that all our representatives abroad should be educated for commerce exclusively?—Certainly not; but I think a general knowledge of commercial questions, that is to say, a knowledge of the bearing of legislation upon trade is a most essential part of the education of every person who is called upon to take a part in public affairs. I certainly observed, with great surprise, in the regulations of the Foreign Office with regard to the examination of attachés which Mr. Hammond put in evidence, that political economy is not one of the questions upon which attachés are examined. That I consider a serious omission, and one which I greatly regret. I could not myself discover any reference to political economy in the regulations.

2827. As a matter of fact, I think you stated (virtually confirming what Sir Emerson Tennent has stated) that the Board of Trade was not consulted with regard to the Reciprocity Treaty?—That was the case.

2828. You further stated that this was the case, of all others, in which the Board of Trade ought to have been consulted?—I think pre-eminently so. It was an infringement of a most important principle of our free-trade policy, and one which has led to a great deal of embarrassment with reference particularly to the colonial policy to which I have referred.

2829. Will you look at that book (*handing a book*

L. Mallet, Esq.
24 June 1864.

a book to the Witness); and will you read out the title of it?—"Correspondence with the Board of Trade respecting proposed commercial treaty with the United States, 1852."

2830. Will you open the book where the first mark is in it, and tell me whom you find the letter signed by?—It is signed by Sir Emerson Tennent.

2831. *Chairman.*] What is the date of it?—It is dated the 20th of April 1853.

2832. Mr. *Layard.*] Is not that a letter from the Board of Trade?—It appears to be a letter from the Board of Trade.

2833. That contains, does not it, the whole plan of the Board of Trade for negotiating the treaty of commerce with the United States; the Reciprocity Treaty?—I cannot say without reading the letter; it is a very long letter.

2834. Could you tell the Committee how it is that Sir Emerson Tennant and yourself have stated that there was no communication with the Board of Trade upon that treaty, when the whole of that treaty was carried on upon the instructions of the Board of Trade sent to the Foreign Office, and placed in the hands of Lord Elgin?—I am totally unable to explain the evidence which has been given without reading this letter, but I was wholly unaware of the existence of such a correspondence as you represent this to be.

2835. Will you look at the first Despatch in that book, and read it to the Committee; it is a draft of a Foreign Office letter to the Board of Trade?—The date is the 13th October 1852: "I am directed by the Earl of Malmesbury to transmit to you herewith, to be laid before the Board of Trade, a copy of a Despatch from Her Majesty's Minister at Washington, relative to a new commercial connection which it is proposed to negotiate with the United States of America; and I am to request that you will move the Board to favour his Lordship with a statement of the points which it may be desirable for Mr. Crampton to submit to the consideration of the President of the United States. I am to add that a copy of Mr. Crampton's Despatch has been laid before the Secretary of State for the Colonial Department, with reference to the colonial interests involved in this question." I was certainly most distinctly under the impression that the Board of Trade was not consulted at the time of that treaty, and there was certainly some stage in the matter which was not communicated to us. I was quite unaware that these letters had been written; the contents of them I cannot refer to because I have not read them, nor can I state at the present moment that I ever saw those letters; but if this long letter enters into the question of the principle of the reciprocal free admission of the produce of the United States and the North American provinces, of course all I have said upon this point falls to the ground. I can only in that case apologise to the Committee for having misled them, but I can hardly believe that such is the case without having read the correspondence.

2836. Mr. *Seymour Fitzgerald.*] The date of that letter is April 1853; what was the date of the treaty?—1854.

2837. Mr. *Layard.*] Are you not aware that between June 1852 and April 1854 no less than 26 letters passed between the Foreign Office and the Board of Trade, 27 between the Foreign Office and the Admiralty, and 94 between the Foreign Office and the Colonial Office?—I know nothing, of course, with respect to any correspondence except that between the Board of Trade and the Foreign Office; I was not aware that 26 letters passed between the Board of Trade and the Foreign Office, nor do I know to what they related.

2838. You are not, therefore, aware that Lord Elgin negotiated the treaty entirely upon the basis furnished to the Foreign Office by the Board of Trade?—I was not aware of that fact, certainly.

2839. You admit that those letters which I have shown you are letters from the Board of Trade and signed by Sir Emerson Tennent?—They are so, clearly.

2840. I wish to refer you to some statements of Mr. Behrens, with respect to your mission to Turin; Mr. Behrens was asked, "Have you not reason to believe that this information is correct" (that refers to some information about the Italian Treaty) "from information which you have obtained from a gentleman connected with your firm, Mr. Nordlingen, who was at Turin at the time, and had interviews with our Minister, and also the Italian Minister of Commerce?" and his answer was, "I had it, not only from him, but from some other persons who were equally well informed that nothing could be done at the time that Mr. Mallet came out much too late, and that his instructions were entirely at variance with the facts as he found them at Turin;" was that so?—No; I certainly cannot state the facts in that way at all; in the first place, I have no means of stating whether I arrived at Turin too late; I arrived there at a time when I found I could do no good; but I cannot say whether, if I had gone there earlier, I might have done good or not. Then, there was nothing in my instructions at variance with the facts; I do not understand that statement.

2841. Can you confirm Mr. Behrens' statement that you arrived too late?—No; I cannot say that I arrived too late, because I know nothing of the state of things prior to my arrival.

2842. There is another statement of Mr. Behrens, to this effect: he was asked, "Are you aware that one of the objects of the communication that was made to us with a view to a treaty, was, that we should reduce our duties on sugar, confectionary, wine, and other articles?" His reply was, "There were two things proposed, one was candied fruit, and the other Marsala wine; but I have it from very good authority, that they were so offended at the treatment which they received here, that they threatentd to put differential duties upon English goods." Are you aware of anything of the kind?—I never heard anything of the kind in my life; I never heard any reference to such cause of offence in the course of my acquaintance with the subject.

2843. What did Mr. Behrens mean when he said that they had received bad treatment here?—I am wholly uninformed as to that.

2844. You never heard of anything of the kind?—No; never.

2845. Are you aware what the Italian Government wished us to do in order that they should make reductions in our favour?—I saw the list of the proposals which the Italian Government submitted to the British Government for alterations in the British tariff.

2846. Did they not wish us to make reductions upon wines, candied fruit, and other articles?—Yes; they did.

2847. Those

2847. Those reductions involved a question for the consideration, not of the Board of Trade, but of the Chancellor of the Exchequer, I presume?—Yes.

2848–9. Thefore, it would have been the natural course that the Board of Trade, before giving an answer, should consult the Chancellor of the Exchequer?—Yes; it is indispensably necessary; the Board of Trade, never deal with a proposal of that sort, without the concurrence of the Chancellor of the Exchequer.

2850. That was entirely a question of revenue, was not it?—No doubt.

2851. Mr. Behrens further states, at page 36, in answer to a question: "Do not you think, that we have a right to request that information" (that is to say with reference to a tariff negotiation) "should be given to us as a friendly nation, by any friendly Government at the time that it was revising its tariff?" "Yes, and I do not think it would ever be denied." You have had great experience of these matters; is that consistent with your experience?—The question is put in too general a way for me to answer it with any degree of precision. In all the experience which I have had in these negotiations, which is limited to a very few cases, I have certainly always found the greatest disposition on the part of the officials with whom I have to deal, to communicate very freely to me all the information they possessed.

2852. Do you mean to say that supposing a negotiation was going on between two foreign countries in regard to alterations in their tariff, they would have allowed you to be acquainted with what was doing?—I cannot answer that question generally; I can say with reference to a particular case, that at Berlin I found on the part of the French representative there a disposition to communicate in the most confidential manner some changes which were not yet decided upon by the two Governments, I could not answer the question in a general form of course.

2853. This question is put to Mr. Behrens: "Does not your cause of complaint against the present action of the Government very much arise from what you consider the want of that request being made in the cases of Belgium, Italy, and Prussia?" and his anwer is: "If it had been made, I believe it would have been granted; and therefore, I suppose, it has never been made." Do you think he is authorised to make that statement?—I have no means of confirming it, or of disproving it. I am quite unacquainted with the state of the case; I have no means of forming an opinion upon the point.

2854. Are you aware whether the English Government did all they possibly could to ascertain what was going on at Paris during the negotiation of the Italian Treaty, and failed?—I am not aware of anything except what passed in the correspondence between the Foreign Office and the Board of Trade. From that correspondence it appears that questions had been put by the British Government to the French Government, and that two memoranda were sent by Mr. Grey, which are published in the correspondence, containing a great deal of information upon the tariff.

2855. I think you applied to us to obtain a copy of that treaty and we could not obtain it for some time?—Yes.

2856. And when we did obtain it we only obtained it confidentially?—Yes.

2857. The Government did make an attempt to obtain a copy of the draft of the tariff which was then being negotiated?—Yes, they did.

2858. Mr. Ripley, another gentleman, who was examined before the Committee, was asked, "Upon what grounds do you so completely condemn the relations between the Foreign Office and the Board of Trade if you do not know what they are?—I condemn the results; I do not condemn the relations. What results?—The absolute want of results, if you like to put it in that way, consequent upon the action of the various Chambers of Commerce who have been bringing pressure to bear upon the Foreign Office for the last three or four years; the perfect barrenness of results, as far as I can see, in any negotiation with any country upon the face of the earth." Is that answer consistent with the facts?—Certainly not; there is the treaty with France which has been concluded, and since then a treaty with Belgium has been concluded; from both those treaties considerable results have ensued.

2859. Is there no other treaty you can name?—The treaty with Italy has been concluded; the results of which, as yet, we hardly know.

2860. Can you mention no other; is there not a treaty with Turkey—Yes, no doubt; those have been made since the conclusion of the French Treaty.

2861. Those negotiations have not then been so barren of all results?—They have not, certainly, been barren of all results.

2862. Can you say what treaties the French have obtained during that period, more than we have?—I cannot speak with certainty, but I do not know of any treaty which France has concluded with European nations except those with Belgium, Italy, and Turkey.

2863. Then, as far as you know, France has not done more than we have during that period?—I am not aware of any more treaties which France has concluded since that time than those which we have concluded.

2864. Did not the English Government take the initiative in the case of the treaty with Turkey?—I believe they did.

2865. You cannot state confidently that if you had gone to Turin earlier you would have obtained more than you did obtain?—Certainly not. I have no means whatever of making such a statement.

2866. Are you personally acquainted with Mr. Ward?—I am not personally acquainted with him.

2867. You are aware that he was sent to Berlin previously to yourself to assist at any negotiations that might be going on there?—I am.

2868. Are you aware that the Prussian Government has given a distinct promise to this country that we are to have the same treaty as she gives to France as soon as the treaty comes into operation?—Yes, I am aware of that.

2869. There is a distinct promise to that effect made?—Yes.

2870. If evidence has been given before the Committee that such a promise is very doubtful, it is contrary to your knowledge?—Yes, it is contrary to my knowledge.

2871. Do you remember when that promise was given?—It was given at the time that I was in Berlin; I think it was given in writing subsequently; it was certainly given when I was in Berlin personally, both to Lord Augustus Loftus and myself, when we visited the different ministers concerned in the negotiation.

L. Mallet, Esq.

24 June 1864.

2872. The British Government has a right to believe that there is a promise on the part of the Prussian Government to give us the same treaty as is given to France, as soon as that treaty comes into operation?—They have a perfect right to believe that the Prussian Government gave that promise at the time; whether the present Prussian Government would consider itself bound by that promise I am not able to say; a promise was given by the Prussian Government at that time.

2873. Have you any reason to believe that the Austrian or Prussian Governments would ever have given us the most favoured nation clause so long as they had the relations which then existed between them?—No; there was a great discussion at Berlin at the time of the negotiation of the treaty which arose upon that question, whether inserting the most favoured nation clause would cover the intermediate tariff arrangement with Austria, and great difficulty was found in framing the article in such a way as not to reach that point, at the same time, the Berlin Government gave Lord Augustus Loftus and myself to understand that it was not the intention of the Zollverein on the expiration of the intermediate tariff to renew it, and that the most favoured nation article would be extended unconditionally to England upon the expiration of that intermediate tariff.

2874. Up to the present time, they never would have given to England the most favoured nation clause, which would have enabled England to demand from Austria on the one hand, and the Zollverein on the other, the same privileges which they had conceded to each other, would they?—On the contrary; it was quite opposed to their policy.

2875. It has been stated to the Committee that if we had applied earlier, we might have got the most favoured nation clause; that is not consistent with your experience?—I think that all we could have got by an earlier application, would have been the most favoured nation clause qualified as it is now qualified.

2876. I think you rather complained that private information was not given by the Foreign Office to the Board of Trade; your words are, "I cannot recollect any case in which information of a private kind which has been communicated by the Foreign Office to the Board of Trade, has been communicated to the permanent officials; there may have been an occasional case of that kind, but as a rule, I should say certainly not. Then the next question is, "Then the permanent officials at the Board of Trade, have not the advantage of being aware of the private information which has been communicated to the Foreign Office on commercial questions? I cannot say what amount of private information there may be, or whether it exists at all; I can only speak to the fact, that it is only on very rare occasions that private information obtained by the Foreign Office from their own agents, is communicated to the permanent officials of the Board of Trade." What do you mean by private information?—I meant information communicated privately by Foreign Ministers or coming from any other source to the Secretary of State, which has not formed part of the official Departmental correspondence.

2877. Do you mean to say then that Lord Russell, if he receives a private letter from Lord Cowley or Lord Bloomfield, ought to show that private letter to the permanent officials of the Board of Trade?—Certainly not, I should be very wrong in making a statement of that kind; I merely stated that the permanent officials of the Board of Trade were not in the habit of receiving such communications.

2878. You do not make any grievance of that?—No.

2879. Might it not be desirable that such private information should not be communicated?—It might be not only desirable, but it might be absolutely necessary.

2880. May not the Foreign Office have some little doubt as to the discretion of the other offices, and on that account, not communicate to them confidential information, even when it is contained in despatches?—I think it must constantly arise; it is one of the things which has led me to believe that inconvenience must arise in consequence of the business being divided between two departments, between which there is not the same interchange of confidential communications which exists between two divisions of one department.

2881. Does not that apply to every other office; the Home Office, and the Admiralty, and the War Office, and all others?—It does, no doubt, in some cases it is unavoidable; in the present case I am not aware that there is any necessity for that division of the work.

2882. You state that the permanent officials in your office are not in communication with the foreign Ministers in this country?—They are not.

2883. Do you think it desirable that they should be placed in communication with the Foreign Ministers in this country?—I do not say that it is desirable that the Board of Trade, as at present constituted, should have that communication. What I stated was, that I think it very essential that whatever department is intrusted with the conduct of this business, and possesses the knowledge and interest in those subjects which enables them to deal with them satisfactorily, should have the means of that sort of intercourse.

2884. You were asked in your former evidence, "Do you not think it would be attended with advantage if you had free means of communication with them?" Your answer is, "I think there might be occasions on which it would be an advantage that we should have freer and more systematic communication with Foreign Ministers in London?—Certainly, if the Board of Trade conducts this business, I think so.

2885. Do you not think that it would lead to great confusion if the Foreign Ministers in London were in direct official communication with various departments of the State?—I am not prepared to state that. I know that Lord Cowley is in the habit of being in constant intercourse with the Minister of Commerce at Paris. I do not see any inconvenience in that.

2886. I am speaking now of the officials, not of the heads of departments. You say that Lord Cowley communicates with M. Rouher; he is a head of a Department. Your answer applied to officials, that is to say, Mr. Booth, Sir Emerson Tennent and yourself, and all the gentlemen in the office?—I do not think I put it in that way. I do not think the officials ought to be recognised. The Minister may refer anybody he likes to the permanent officials, but when I speak of the communication between the Foreign Ministers and the Department, I refer to the President of the Board of Trade, the chief of the Department.

2887. Here

2887. Here is your own answer, "I myself am in the habit of receiving letters from secretaries of Legations, and occasionally from Ministers who come to ask a question on a matter of trade, or who wish for immediate information, but that is a very rare occurrence;" if you go to them at all, it is very rarely; therefore, that applies not to the head of the office but to yourself?—No doubt; I think that kind of private communication is almost unavoidable. I do not see how it can be avoided without inconvenience. A secretary of Legation wants distinct information upon some matter of detail upon which a permanent official only can give it, upon questions incident to, and affecting trade, he comes to the office and the Minister is occupied and cannot see him, or is not there, then unless he can communicate with the permanent officials, great inconvenience and delay must be occasioned.

2888. That he does now, does he not?—Yes; but very rarely.

2889. No objection has been raised to that, has there?—Not the slightest.

2890. That is not a cause of grievance?—There is no objection to it whatever that I know of.

2891. Is not the head of the Department in constant private communication with the Foreign Ministers in this country?—I have no reason to think that he is not.

2892. During the negotiation of the Belgian Treaty, was not Mr. Milner Gibson in almost daily communication with M. Van de Weyer?—I believe he attended a great many conferences at the Foreign Office.

2892*. Was not that as good a system as could be devised, that M. Van de Weyer should meet the Secretary of State for Foreign Affairs, who had all the diplomatic experience and power, and at the same time meet the President of the Board of Trade, who had all the information of the details, and could communicate the information which Lord Russell from his position was unable to give?—I think that the greatest advantage would be derived generally speaking, (I do not speak with regard to that particular negotiation, or its results; I will assume that there was nothing in that case in which any difference would or could have been made) from the fact of the office in which those negotiations were being conducted, possessing within its walls officers capable of giving to the Foreign Minister accurate and detailed information upon all the points brought under discussion. I may refer to the negotiation of the French Treaty, in respect to which I think Mr. Cobden will bear me out, in saying that the assistance given by the members of the commercial department, of the Foreign Office at Paris, was of the greatest possible value to the conference and to the Minister who conducted the negotiations; I think he could hardly have conducted them so well without having had the assistance of those officers.

2893. Is not it better in this country to have the head of the Commercial Department of this country, the President of the Board of Trade, who is able to generalise, and who has an intimate knowledge of the policy of the Government, and the requirements of the country, put in communication with the foreign negotiators in company with the Secretary of State for Foreign Affairs, than to have the foreign negotiators placed merely in communication with an official who has not such knowledge?—I think that in all cases the foreign negociator should be placed in connection with a Minister. The only question is, whether the communication should take place with the Minister specially conversant with the details, or with the Minister who deals with the general diplomatic bearings of the case.

2894. There were no details in the Belgian case, were there; the only question was, whether we should, or should not, have the French treaty, and whether we should, or should not, give the Scheldt dues in return?—Some very important details were involved. The great difficulty in the negotiation arose from the great indisposition of the Belgian Government to extend to England the tariff which had been extended to France, in fact to give us the most favoured nation clause; very important exceptions were proposed by Belgium in that case, and the amount of those exceptions, and the degree to which they were to be admitted, formed a subject of great importance, and one that involved the knowledge of a great deal of detail. That was obviously a question upon which, if the Board of Trade retains its present functions, it would be right that it should be consulted, and upon which it was consulted, the Foreign Office authorities not being prepared to act without its advice. There were details of an important kind involved in that negotiation.

2895. There was no question of tariff revision, was there?—Not of a whole tariff revision.

2896. I presume that Mr. Milner Gibson consulted the officials of his Department, and that it was acting under the information he obtained in the Board of Trade, that he negotiated with M. Van de Weyer?—Yes, no doubt.

2897. Did he not speak with much greater authority as being President of the Board of Trade and a member of the Cabinet, than a gentleman like yourself, for instance, would have spoken?—Certainly. I never contemplated the President of the Board of Trade, so long as he retains his present functions, being left out of a negotiation.

2898. You stated this in your answer the other day. The question was, "Are you of the same opinion as that expressed by Sir James Emerson Tennent, that if our Government had communicated with Spain and Portugal at the time they communicated to France their intention of reducing the duties on wines; for example, it would have been more probable than it is now that we might have obtained a reduction of the Spanish and Portuguese tariffs?" And your answer is, "As a question of personal opinion, I should say so; but I have no knowledge as to the feelings and intentions of the Spanish or Portuguese Government. I should have been inclined, however, to think that they would have been more disposed to make concessions at that time than at a later date." You have no knowledge with regard to Spain whether they were inclined to make reductions or not, have you?—No; I have no knowledge whatever; it is a mere opinion.

2899. You do not know whether the British Government have been for some time in communication with the Spanish Government?—I have no knowledge.

2900. With regard to the wine trade of Portugal, do you know whether the Government have been for a very long time in communication with the Portuguese Government?—I am aware that there has been a very long correspondence.

2901. Have not the Portuguese Government promised,

L. Mallet, Esq.

24 June 1864.

promised, over and over again, to bring a Bill into the Chamber for certain reductions of duties, and have they not broken that promise?—Yes.

2902. That is not the fault of the British Government, is it?—No.

2903. Have not the British Government called upon the Portuguese Ministers over and over again to pass that law?—They have, to my knowledge.

2904. Why did you state that if we had been earlier we might have obtained those concessions?—The opinion which I expressed was only this; that at the moment when it was thought advisable to make reductions in the British Wine Duties at the time of the French Treaty, it appeared to me and to others in the Board of Trade probable that if at that time the question had been asked of the Portuguese Government as to whether they would make any concession to us in return for the privilege accorded to them, they would have been disposed to do something—more disposed to do it than when a concession had been made to them unconditionally.

2905. Was not the question of making similar treaties at the time of the French treaty a question of Imperial policy and not a question for the decision of any office in the State, the Foreign Office or any other?—Yes.

2906. Therefore, our not having gone to other countries, Spain and Portugal, and so on, at that time was not the fault of the Foreign Office but the decision of the Cabinet at the time?—I presume it was the decision of the Cabinet at the time.

2907. It may have been a right or a wrong policy, but it was not for the Foreign Office to decide upon it?—Certainly not.

2908. What, in your opinion, with your great experience and study of these matters, should be done with regard either to the establishment of a commercial department in the Foreign Office, or of a politico-commercial department, if I may so express myself, in the Board of Trade; what plan would you suggest?—I think myself, as I stated the other day, that the important thing to aim at is that there should be one Minister either in or out of the Cabinet, but at all events that there should be a Minister possessing the confidence of the Government, and in such a position as to be entrusted with a knowledge of the political as well as the commercial bearings of all those questions, who should, in point of fact, conduct that branch of public business, and be placed in a position which would enable him to conduct those negotiations completely; that is a position in which I think the Board of Trade is not placed. That is the principle at which I should aim; one way in which it may be attained, is by getting rid entirely of the consultative functions of the Board of Trade, and putting the Foreign Office on the same footing with regard to the Board of Trade, as the India Office is at the present time; the India Office contains within its own walls commercial officers, financial officers, and legal officers, and it possesses within its own walls all the knowledge which it thinks requisite to conduct that great administration. I can imagine that the Foreign Office might be constructed upon an analogous principle; that it might have within its walls such an amount of commercial, political, and legal knowledge as is necessary to enable it to conduct that important branch of public business. That is the most perfect theory; I can see in it many advantages; I cannot in the slightest degree recognise the distinction which has been attempted to be drawn between commercial and political knowledge of business, I think the two things are mixed up inextricably together; I think the knowledge of business as affecting trade is a knowledge which every Minister and every public man must possess to a great extent. I cannot, therefore, recognise that distinction, nor can I altogether admit the possibility of any very clear distinction between the principles and details of a negotiation; I think that they are so inextricably mixed up as to make it very necessary that the conduct of both principles and details should be in the hands of the same Minister and the same Department. That being so, I cannot but feel that, in principle, and, I believe ultimately in practice, the most perfect system will be one in which the Foreign Office should be made self-contained; that it should contain within its walls the officers and the information requisite to enable it to conduct the whole of its executive functions without consultation; it should then only consult other departments as executive departments upon questions connected with their executive functions. That would be the most perfect theory, and the objection to that resolves itself into a question of work. As far as I can comprehend the bearings of Mr. Hammond's evidence, it is the opinion of Mr. Hammond that such a system would throw upon the Foreign Office, or upon the Foreign Minister, an amount of work which it would be impossible for him to undertake in addition to his other duties. It resolves itself, in my mind, not into a question of the kind of work, or the quality of the work, but into a question of the amount of the work. If the amount of the work which would by that means be created, is such as to make it practically impossible for the Department to undertake that work, I think, as an alternative course, it might be possible to give to the Board of Trade such a means of direct communication with our agents abroad as to enable them to carry out the work efficiently, and render the system practically effective.

2909. Do you mean to say that the Board of Trade should abdicate altogether its consultative faculties?—I think that unless the consultative functions of the Board of Trade are revived, and the office has generally a more distinctly consultative character than it now possesses, the continuance of the consultative functions in the very limited extent to which they now exist, is not only useless but disadvantageous. I think it gives rise to expectations on the part of the public which the Board of Trade is unable to fulfil. I think the public at large is not at all acquainted with the very small amount of useful power which the Board of Trade possesses in influencing other departments, and I think that in some respects it misleads and operates mischievously in that way. The original idea of the Board of Trade was that it was a Board composed of men whose opinion and judgment upon all commercial questions submitted to them was of a kind to carry great weight with the public and the Government. I speak of the original constitution of the Department, as a Committee of Privy Council for Trade, whose function was to report to the Queen in Council upon matters referred to it from the Queen in Council. Those reports became State papers, and became the natural ground-work for the Imperial policy of the State upon commercial questions. That was the original idea of the Board of

of Trade as a consultative office. But that constitution is now merely a name, and no longer exists in reality; there is at present no Board, not even the fragmentary Board which used to exist when I first became connected with the Department, namely, a Board composed of the president, the vice-president, and the two secretaries, who used to meet for the transaction of business. Even that vestige of a Board has been removed for many years now, and nothing remains but a Minister, whose principal functions are executive, and who in no sense represents a Board. That being so, it can hardly be expected that the opinions of that Department, as a consultative department, should carry the same weight as they originally did. Practically, reports to the Queen in Council are never made, and the consulting business of the Department is carried on by means of correspondence with the great executive offices of State to which advice is given, that advice being either adopted or set aside, at the option of the Minister who consults the Department.

2910. Do I rightly understand you to say that if the Board of Trade were reformed and made a more competent department, the evils of which you complain might be remedied?—I think that to a certain extent they might be. I think that for practical purposes, and with a view to practical results, it might be very possible so to reorganize the Board of Trade as to enable it to undertake those functions usefully.

2911. Then do you not think that it would be more useful for the public service to make the Board of Trade an efficient department, than to clog the Foreign Office by putting upon it part of the functions of the Board of Trade?—Of course, if the effect of throwing those duties upon the Foreign Office were to clog its work, it would be a great evil. I am not able to form an opinion upon that point.

2912. Have you read Sir Emerson Tennent's evidence?—I heard the greater part of it.

2913. Do you remember that he stated that he thought it was a very great evil that the India Office did not consult the Board of Trade?—I heard him make that statement.

2914. Do you agree with him on that point?—I am scarcely prepared to say. I can quite conceive cases in which the intervention of the Board of Trade might or might not have been useful; but I doubt whether as the Board of Trade is now constituted much advantage can result from its being consulted by the India Office.

2915. If it were properly constituted, I may infer, may I not, that you think there would be an advantage in that consultation?—I think if the Board of Trade possessed its original character as a Board, whose reports became State documents, and possessed an important and grave character, such a department might exercise a great influence upon the departments of State in the conduct of their commercial business.

2916. Supposing such another treaty as the Reciprocity Treaty were being negotiated, and negotiated not only by the Foreign Office, but by the Foreign Office, in conjunction with the Colonial Office, do you not think that it would be a great advantage if the Colonial Office were to consult the Board of Trade, supposing the Board of Trade were reformed as you suggest?—I can conceive cases in which advantage might result from that consultation.

2917. If the Board of Trade were not reformed, but remained as it is, if your proposal were carried out—each of the public offices—the Colonial Office, the India Office, and the Foreign Office, would require to have in itself the machinery which you now have at the Board of Trade; that is to say, a machinery provided for foreign commercial matters, or the commercial matters relating to the department which I have mentioned?—No doubt they would be obliged to make certain additions to their staffs. I do not know that I go too far when I say that they would be obliged to make themselves acquainted with commercial questions.

2918. Do you not think that it would be much more desirable that there should be one Department of the State devoted to commerce, to which all the other departments could go when they wished to ask an opinion, or to obtain information upon a matter relating to trade or commerce?—I do not see why such a state of things should exist with regard to trade more than with regard to law. I believe that all departments have legal advisers within their walls. There is no doubt that the Law Officers of the Crown are referred to in important matters, but that partakes more of the character of a reference for a report, than a reference with a view to the conduct of executive business.

2919. The facts are given to the lawyer, and upon those facts he gives an opinion; that is very different from giving an opinion upon a matter of policy, is not it?—The commercial officers would give an opinion upon the commercial principle or policy involved in any particular question.

2920. If you had a question of law of great importance, in which great interests were involved, should you not then consult the legal advisers of the Crown?—We should for great cases. For the ordinary current business of the department the legal advice contained in the department would be found quite sufficient; it is very rarely the practice of the Board of Trade to consult the Law Advisers of the Crown; we find our own legal advice sufficient, generally speaking.

2921. Does not the Foreign Office consult the Colonial Office, the Home Office, the War Office, and the other public offices, on all questions in which they are concerned?—No doubt there must always be that kind of consultation.

2922. You would not, I presume, propose that in the Foreign Office there should be a department for Colonial questions, for legal questions, for trade questions, and for military questions, which would render the Foreign Office independent of all those other departments?—I do not think it possible for the Foreign Office to conduct its business without consulting the great executive offices of State upon questions in which they are concerned; that seems impossible.

2923. If your plan were carried out, and if there were a Commercial Department in the Foreign Office, the Foreign Office would still have to consult the Board of Trade, would it not?—It would still have to consult the Board of Trade upon questions belonging to the executive functions which still attached to the Board of Trade. For instance, the Board of Trade is charged by Parliament with the administration of the Merchant Shipping Acts; and in the administration of those Acts, the Board necessarily become acquainted with the events affecting shipping in this country and in other countries; they also become conversant with the taxes incident to shipping. They have to deal with the abolition

L. Mallet, Esq.
24 June 1864.

or reduction of all those taxes, and therefore they become peculiarly qualified to advise the other departments of State upon questions relating to shipping. I think that the Foreign Office would still consult the Board of Trade upon those questions, even if the purely consultative character of the Board of Trade were taken away.

2924. Putting aside those cases, do you think that the Secretary of State for Foreign Affairs would venture to make alterations in our tariff, or to suggest alterations in a foreign tariff, merely upon the advice given by the head of the Commercial Department in his own office?—I think that with regard to changes in our tariff, he would be obliged to consult the Treasury, as he is now, and you would save the intermediate stage. With regard to changes in foreign tariffs, I do not see why the Foreign Secretary should not be quite as capable of dealing with those questions, with proper advice, as the President of the Board of Trade. The President of the Board of Trade is not selected with any particular reference to trade. During my connection with the Board of Trade, the Presidents have not been commercial men; they have always been men taken from Parliament for political considerations, and it is merely as regards the department over which they preside that they possess any peculiar weight or authority upon commercial questions. It therefore resolves itself into a question of a certain staff, and whether a certain staff of gentlemen is to work in one department or another, which is a very subordinate question.

2925. In one of your answers, you state that the person who is at the head of this department, whether Under Secretary or otherwise, "should be able to direct, guide, and follow the whole of the commercial questions which arise in the course of our foreign trade, and should direct that policy under the guidance of the Government"; the person who had those functions would not be responsible to Parliament, or the country would he?—Not directly responsible; if he was as I imagine, it is most desirable he should be a Parliamentary Under Secretary in the Foreign Office; he would of course be responsible to the Foreign Secretary.

2926. You are aware, are you not, that the Under Secretary has no responsibility; he is merely the organ of the Secretary of State?—Yes, his responsibility is merely to the Secretary of State, I presume.

2927. His responsibility is limited to carrying out the views of the Secretary of State?—Yes.

2928. He is not responsible for the views which the Secretary of State may adopt, is he?—Certainly not.

2929. You would not place this commercial Under Secretary in a different position from the the present Parliamentary Under Secretary, would you?—Certainly not; he would be responsible to the Secretary of State.

2930. You have stated that the introduction of a Commercial Department into the Foreign Office, would be merely a question of work; would it not be a question of responsibility also?—It would no doubt be a question of responsibility, but it is a responsibility which I think might be as well undertaken by the Secretary of State for Foreign Affairs as by the President of the Board of Trade.

2931. Do you think that the Foreign Secretary, in addition to his arduous duties, could take upon himself to be responsible for questions of trade?—It becomes a question of work as I have stated. If he had time to devote to it, I see nothing in the character of the work to make it impossible that he should be responsible for it; it is a question of the amount of work which the Secretary of State is able to discharge.

2932. Is not it better that the person at the head of the regular commercial department who has the means of obtaining information upon all points of foreign and domestic trade, and everything bearing upon that trade, should be the responsible person, and the person to give opinions upon questions relating to trade?—I think that if the President of the Board of Trade was such a Minister, there would be advantages to be derived from it. But I contend that as the Board of Trade is now constituted, he does not stand in that position; he is only a Minister charged with the administration of certain Acts of Parliament affecting railways, shipping, and other subjects, and certain consultative functions of a very ill-defined kind towards other departments.

2933. Still, as I understand what you now state, your objection is rather to the constitution of the Board of Trade, than anything else; you seem to raise the inference that if the Board of Trade were placed upon a proper footing, those evils would be removed?—I think they would be removed to a great extent. I think that the Board of Trade, under other circumstances, might exercise those functions to a great advantage.

2934. You rather complain that there is not sufficient personal intercourse between the officials in your department and the Foreign Office, do you not?—I do not know that I made a complaint of that kind. I merely stated the fact that there is a very limited amount of intercourse between them.

2935. You stated that, as if it were a regrettable fact, did you not?—I think that it is to be regretted. I think that the more free personal intercourse there is, between the officials who have to deal with the daily business, the more likely it is that the business will be well discharged.

2936. Except upon matters of importance on which it is desirable that the correspondence between the departments should be carried on in writing, there would be no desire on the part of the Foreign Office not to have personal communications with the gentlemen in your office?—I am not aware that there is any such desire. On the contrary, I may say that I have always met with great courtesy in my communications with the Foreign Office; but as a fact, I believe there is very little personal intercourse indeed.

2937. As a rule, do you not think it advisable that the communications between the officials of the two departments should be carried on in writing?—As a rule, it ought to be carried on in writing, but I think it is impossible that the business could be efficiently conducted unless there was also a good deal of personal intercourse.

2938. Would not it lead to confusion unless there were records of what took place between the offices?—There are cases which arise in every branch of business in which it is advisable to have on record everything that passes. But in the daily transaction of business there are a thousand cases in which I think no inconvenience results from

from a free and unreserved personal communication between the officials.

2939. In those thousand cases which you have just alluded to, could there not be now this personal intercommunication?—I think there might be a good deal more than there is.

2940. I suppose you would not object to seeing me if I came over to the Board of Trade, and I should not object to seeing you if you came to the Foreign Office?—No; but under the present organisation of the Foreign Office (which I do not pretend to criticise; it may be the best), everything goes through the Under Secretaries, as far as I understand, and it is of very little use to communicate to the head of a department with a view to arriving at any distinct conclusion. It is necessary in almost all cases that such communication should take place with one of the Under-Secretaries who, as Mr. Hammond has said, are necessarily occupied with a great variety of other questions, and with them it is not always possible to communicate upon questions which arise in business of the Board of Trade with that degree of regularity and frequency which may be often desirable.

2941. There is no other objection than that the officials have too much to do to have much personal intercourse, is there?—That, I think, is the principal difficulty, so far as I am informed.

2942. With regard to this information which we have heard was given either to Mr. Cobden or yourself, that if we had sent an agent, the French Government would have associated their representative with him in the negotiation of the treaties with Belgium, Prussia, and Italy; you do not state that of your own knowledge, do you?—I merely know that it was stated to me in Paris at that time, I think, by Mr. Cobden; I cannot now recall whether M. Rouher himself ever made the remark to me, but I was cognizant of the fact that that intimation had been given.

2943. I presume that if that intimation had been given, it ought to have been officially communicated at once to the English Government?—I have no reason to doubt that such was the case; I have no knowledge of the fact. It was a kind of communication which could only be good for anything if made officially, and therefore I thought if the French meant it, they would have made the proposal officially.

2944. Do you suppose that if so advantageous a proposal had been made to the English Government, they would not have accepted it?—I know nothing whatever as to what passed; I was wholly uninformed.

2945. You have no reason to believe that the Foreign Office would, at any time offer any obstructions to commercial treaties with other countries, have you?—I have no reason to believe that they would offer obstructions intentionally; and all that my remarks have tended to show is, that a department which does not profess to possess great knowledge of or interest in these questions may possibly not pay that close attention to them that it would do if it possessed within its walls a greater amount of knowledge and interest; that was the drift of my remarks.

2946. In all your communications with the Foreign Office, and with the agents of the Foreign Office abroad, you have always found the greatest possible willingness to do what was possible for the forwarding of the commercial interests of the country, have you not?—I have found the greatest possible willingness on all occasions.

2947. Do you happen to know what was the reason why that Zanzibar Report, to which you referred, was not published previously?—I do not know; I never heard the thing fully explained. I merely know the fact that it was discovered in the Foreign Office after inquiry had been made by the Board of Trade; it had apparently been set aside, but upon what grounds, or from what cause, I do not know.

2948. You are aware that the reports of consuls are generally published within a year after they are received?—I know that is the general practice.

2949. Do you know why the former system was changed, and why the Foreign Office printed them, instead of sending them to the Board of Trade; was it to save time?—I cannot at this moment remember the reason that was given.

2950. Are you not aware that Mr. Hammond considered that the Board of Trade was very remiss in publishing them, and that he thought he would save time by publishing them at the Foreign Office?—I am not aware that that was his opinion.

2951. With regard to the case which was mentioned by the Honourable Member for Rochdale the other day, and which another Honourable Member called a trivial point, it would have appeared at first sight to be a trivial point, would it not?—It would appear a trivial point to a person not conversant with the subject.

2952. Does not that show the importance of the Foreign Office always consulting the Board Trade, in a question affecting a tariff?—I think it does; I think that, as at present constituted, the Foreign Office must consult the Board of Trade upon those questions. That is the inconvenience which I feel, that the question involves a correspondence between two departments, whereas it might be dealt with by one.

2953. Supposing that we have a complaint about some colonial matter, as we frequently have; for instance, we frequently have a complaint with regard to some question with the Dutch; we have also to consult the Colonial Office upon such a matter, have we not, before deciding?—No doubt it must be so.

2954. Do you not see from Mr. Hammond's evidence that our correspondence with the Colonial Office is much greater than with the Board of Trade?—I perceived that it was stated to be so.

2955. We are constantly in communication with the Colonial Office are we not?—Yes.

2956. Surely the arguments which apply to our communications with the Board of Trade would apply equally to those with the Colonial Office, would they not?—The Colonial Office is an executive department, and as such the Foreign Office must consult it upon all questions concerning its executive duties; the position of the Board of Trade is very different.

2957. I presume you would not advocate a system of making the permanent officials, that is to say the heads of departments, as powerful here as they are in France?—I am not aware of the details of the operation of the French system, and I do not know how far it is attended with inconvenience.

2958. Do you think it advisable that there should be at the head of each public department a permanent official, who really governs and controls that department?—My own experience is, that it is exceedingly undesirable to give undue power or control to permanent officials.

L. Mallet, Esq.
24 June 1864.

2959. If there were this gentleman whom you have mentioned at the Foreign Office, to guide and direct the Government upon matters of commerce, he would become really a permanent Foreign Minister, would he not?—It is with reference to that that I have always contemplated that he should be a Parliamentary and not a permanent Under-Secretary.

2960. Then you think that this person who is to guide the Minister of State upon matters of commerce should be a Parliamentary Under-Secretary?—I think so.

2961. Being a Parliamentary Under-Secretary, he would change with each Government, would he not?—No doubt.

2962. How could that gentleman, coming in for the first time, be able, within a few days of his entrance upon the duties, to guide and direct the Secretary of State upon matters of commerce?—He would be quite as well able to do it as the President of the Board of Trade is now, under similar circumstances.

2963. Would he not become a mere tool of the chief of the department?—Not more so than if he became President of the Board of Trade.

2964. The President of the Board of Trade is responsible to the country, is not he?—I do not think that the President of the Board of Trade could be held to be responsible to the country as the matter now stands; and I do not think that the responsibility is accepted by tht President of the Board of Trade; certainly it has not been accepted by all the Presidents of the Board of Trade.

2965. Have we a consul at Paris at the present moment?—I do not know. When I was in Paris last year there was a consul in Paris. I have never heard that the office has been abolished.

2966. Mr. *Somerset Beaumont.*] With regard to your calling the attention of the Foreign Office to the tardiness with which they send you any of the consuls' reports, is it very customary for one Government department to criticise its relations with another Government department?—It is a sort of thing which, I should think, would be resorted to with extreme reluctance; it is scarcely ever done. I should think there would be a very great reluctance to do it on the part of a department placed as the Board of Trade is to the Foreign Office.

2967. Have the Board of Trade ever called the attention of the Foreign Office to the, according to your view, unsatisfactory relations between the two departments?—Not to my knowledge, at any time.

2968. The Board of Trade has not, to your knowledge, made any such representation?—It has not, to my knowledge.

2969. Mr. *Layard.*] Does the French Ministry of Commerce communicate directly with the foreign ministers at Paris, and the French representatives abroad?—I know that the Ministry of Commerce communicates directly with Lord Cowley; I cannot speak as to other ministers. I know that upon one occasion, within my own experience, the French Minister of Commerce did communicate directly with a French minister at a foreign court, but what the general practice is, I am not prepared to state.

2970. With our machinery, bad as it is alleged to be, there is no country in the world whose commerce has so developed itself as the commerce of this country, is there?—The commerce of France, since the conclusion of the treaty, has developed itself, I believe, in as great a ratio.

2971. Still the commerce of England has spread much more than that of any other country, has it not?—It is the largest commerce in the world.

2972. Do not many of those defects which have been spoken to before the Committee arise from the constitution of this country, and from the habits of the people, who prefer doing their own work to allowing a Government department to do it for them?—I do not think that anybody can contemplate with any degree of satisfaction the idea of the Government undertaking to do for the merchants what they could do for themselves. But in an enormous trade like the foreign trade of England, of course, there must frequently be occasions on which the intervention of the Government is necessary in order to prevent injury and injustice being inflicted by Foreign Governments upon British merchants. The larger the trade, the more often is it likely to happen that the intervention of the Government becomes necessary to see that the trade is not obstructed by the regulations of Foreign Governments.

2973. Do you think that there is any remissness on the part of the Foreign Office in supporting the interests of British subjects abroad?—There is no intentional remissness, certainly; on the contrary, there is the greatest desire to protect British interest.

2974. Is there any actual remissness?—I am not prepared to state; there are cases in which more might have been done, probably, and there are cases in which it might not have been possible to do more.

Martis, 28° *die Junii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.	Mr. Milner Gibson.
Mr. S. Beaumont.	Mr. Kinnaird.
Mr. Butler-Johnstone.	Mr. Layard.
Mr. Cobden.	Sir Stafford Northcote.
Sir Minto Farquhar.	Mr. Pender.
Mr. W. E. Forster.	Mr. C. Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

THE RIGHT HON. THE EARL OF CLARENDON, K.G., attending by permission of the House of Lords; Examined.

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

2975. *Chairman.*] THE Committee are, of course, aware that your Lordship has been the Secretary of State for Foreign Affairs; when did you last hold that office?—I have not been Foreign Secretary more than once. I was Foreign Secretary for a period of five years, from the 21st of February 1853 to the 26th of February 1858.

2976. You were also President of the Board of Trade at one time, were you not?—I was.

2977. When was that?—It was in 1846 and 1847.

2978. I think, also, your Lordship, many years ago, went on one or two commercial missions abroad?—On one only that was of any importance.

2979. You are, no doubt, aware that this Committee has been appointed to inquire into the arrangement between the Foreign Office and the Board of Trade in reference to trade with foreign nations, chiefly on account of the dissatisfaction that is felt, to a considerable extent, among the commercial community with the present working of that arrangement?—Yes, I am aware of it.

2980. Some of the witnesses that have come before the Committee have stated that they think that there is delay, and that there may be inefficiency arising from the necessity of commercial men communicating with the office which conducts the negotiations — namely, the Foreign Office—with reference to foreign trade, through the Board of Trade, and from their having to deal with two offices instead of one. Consequently a suggestion has been made that it would be an advantage that the permanent officials who are versed in the details of trade should be transferred from the Board of Trade to the Foreign Office, so as to remove the necessity of the Foreign Office consulting the Board of Trade. What would be your idea of the establishment of such a commercial department in the Foreign Office?—Both as President of the Board of Trade and as Foreign Secretary, I have often considered that subject, because I have always attached the greatest importance to our commercial relations with other countries; I think that they are intimately bound up with our political relations, and that the more we can connect different nations together by the ties of material interests, the more binding and satisfactory is their political connection likely to be; and I have therefore always given all the attention I was able, during the time I was Foreign Secretary, to our commercial relations with other countries. I have endeavoured, in every way I could, to facilitate and promote those relations, and in doing so I have, of course, considered whether the Board of Trade could be rendered of greater assistance to the Foreign Office, and the Foreign Office of greater assistance to the Board of Trade. I consider that all public departments are only public servants, and that there ought to exist no jealousy or unfriendly rivalry between them; I consider that they are bound by their duty to the public and the interests that are confided to them, to endeavour to make each department, either separately or in connection with other departments, as effective as it possibly can be; and if I could have suggested any mode by which those two offices could have been rendered more useful to each other, I should assuredly have done so while I was in the Foreign Office; but I really have not been able to suggest any such mode. I do not mean to say that during the last five years I have given much attention to the subject, but during the time that I was in the Foreign Office I did give great attention to the subject, and I could not devise any mode that would be more efficient than the existing system, provided, of course, that the system is worked in the most efficient manner of which it is capable. I know that an opinion exists that more direct communication should be established between the Board of Trade and our agents abroad, but I cannot say that I concur in it.

2981. Then your opinion, with regard to a Commercial Department in the Foreign Office, would be decidedly against it?—I do not see my way to its efficient working.

2982. It has been suggested that instead of the Foreign Office having to obtain its knowledge of commercial details by communicating through its own staff, as it does at present, with the staff at the Board of Trade, or else by the Foreign Secretary communicating with that staff through the President of the Board of Trade, there should be such a staff in the Foreign Office itself; and then there is a twofold suggestion, one being that that staff should be under the superintendence of a political Parliamentary Under-Secretary, whose business it would be particularly to attend to the commercial questions which came before the Foreign Office, and the other, that it should be under a permanent Under-Secretary; would your objection apply to both those forms of the suggestion?

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

gestion?—Yes, it would. It would be merely another method, and I do not think so good and easy a method, of working the system as now exists. Supposing that you were to have a commercial staff in the Foreign Office, no matter whether it were put under a permanent Under-Secretary or a Parliamentary Under Secretary, you still would have to refer from that staff to the President of the Board of Trade, who is generally, and ought always to be, a Cabinet Minister; you would have just the same references to make, and I do not see that either time or labour would be saved by the change.

2983. You do not think that the Foreign Office could be made self-sufficing upon trade questions; you think that it would, notwithstanding having such a staff within its own department, have still to consult the Board of Trade upon the general bearing of any commercial question that came before it?—I think so, because I look upon the Board of Trade as the repository (that is my notion of what it ought to be, and what, as far as I was concerned, I always endeavoured to make it) of all commercial information. It therefore constitutes a consultative body for all other departments of the Government; and when I was at the Foreign Office, I should have been sorry to have undertaken any large commercial negotiation, or indeed, any preliminary negotiation or communication of importance bearing upon trade, without a consultation with the Board of Trade; I should have felt it necessary to do so for my own information and guidance; therefore, although there might be a staff, however efficient, and however well composed in the Foreign Office, I should say that the Foreign Secretary always must go to the repertorium or repository of information, which should be the Board of Trade; and I never, if I were Foreign Secretary, should be satisfied with any amount of information that I obtained from the staff in the Foreign Office without communication with the President of the Board of Trade, whether as a colleague and a Cabinet Minister, or as head of that important department.

2984. One, I can hardly say complaint, but doubt, which has been expressed with regard to the good working of the present arrangement, arises from this: it appears to be the custom that the information which is given by the permanent officials in the Board of Trade is conveyed almost entirely by writing to the Foreign Secretary, by correspondence on the part of one of the Secretaries of the Board of Trade with an Under-Secretary, at the Foreign Office; or if it be conveyed personally, it is conveyed through the President of the Board of Trade. Do you recollect, at the time you were Foreign Secretary, what was the system you pursued, in order to obtain information with regard to the details of any commercial matter?—Any matter that I considered of importance, and which was consequently referred to the Board of Trade, was always referred in writing, and the answers were always given in writing. I should be sorry to see that communication placed upon any other footing, because *litera scripta manet*; and where departments are responsible for advice given upon matters most important to the community, it would never do to have that advice resting upon mere verbal communications, which might be either accidentally or intentionally contradicted afterwards. Therefore, if I was sitting in the next room to the President of the Board of Trade in the same office, I should have to be guided by his advice upon a matter for which he and I were both at the same time responsible, and should put my question in writing, and expect to have his answer in writing, in order that it might be recorded in the office, not only with respect to our mutual responsibilities, but also for the guidance of other persons in the office. Allow me to add that, upon all matters upon which I should require speed, and when there was inconvenience in delay, I should not have the least hesitation in going over to the Board of Trade and asking the President of the Board of Trade to communicate with me, in order to agree upon what might be necessary to be done immediately, with the proviso that the question and answer should be in writing. But my notion is, that there should be the most completely harmonious action between those two departments, and that there should be no delay whatever, except what is caused entirely by the necessity of referring. You cannot ask for information and always get it directly. Inquiries will have to be made, and precedents will have to be searched for, and delay will be occasioned, which may sometimes be complained of, and which cannot be exactly explained to persons who are not acquainted with the working of these matters, but which must be perfectly well understood by those who have to seek for information, and are responsible for giving it correctly.

2985. The difficulty which has been felt is this; and those who have expressed it are quite aware of the facts that the department has to consult another department, and that that consultation must be carried on in writing, in order, as you say, that the department which acts from advice should have it recorded upon what advice it does act; but then there is a feeling that the Foreign Secretary would be under this disadvantage, that whereas upon the political bearing of any question, he would have the advantage of close personal contact with those of his officials whose business it is to obtain and gather information for him, and give it to him, he would be under the comparative disadvantage of only having a written communication from, and not being brought in personal contact with, those whose business it is to give him information upon the commercial part of the case. And, therefore, there is a fear that the political bearings of a question would be more considered by him than its commercial bearings, from the very fact that he was more completely informed in the one case than in the other. Do you see anything in that objection?—No, I do not at all; because you must have a reference; and the Secretary of State, who is going to make himself responsible for any negotiation, or any public act, whether commercial or political, will always seek his information at the best source, and desire to cover his responsibility by the best information. Therefore, it does not matter what staff you have in the Foreign Office, you must go to the Board of Trade, as I have said before, as the centre of information. I do not mean to say that if you chose to amalgamate the Board of Trade with the Foreign Office, to do away with the Board of Trade, and to make it altogether one department, you might not then concentrate, or endeavour to concentrate, in the Foreign Secretary all that information which is now, I think more usefully to the public,

public, distributed between the two. But then I have no hesitation in saying that you would call upon the Foreign Secretary to do more than any man is able to do; and if you do that, I need not say that the work will be ill-done.

2986. I suppose, practically, at the time when you were at the Foreign Office, if there was any question upon which you particularly wished to know the details, you would not only obtain a written answer from the Board of Trade, but, if it were desirable, you would have consulted those officials at the Board of Trade who were versed in it?—Without the least hesitation; just as I should have asked any clerk in the Foreign Office to come up to me. I was very often in the habit of asking the opinions of the officials at the Board of Trade upon any matter in which I could not rely upon the information which I possessed myself, or which I had collected from the consular on other reports. In such a case I had no hesitation in communicating, and there was no more time lost in communicating, with the person most able to give information upon that particular subject in the Board of Trade, than there would have been in sending down in the office. I never experienced the least difficulty in the matter.

2987. Then we come to the other suggestion which has been made. Several of the witnesses, who have felt that the system does not work altogether well at present, but who have the same feeling as your Lordship, that it would not answer to transfer the staff from the Board of Trade to the Foreign Office, have suggested that if the Board of Trade is to be the advising body to the Foreign Office, they should be put into the position of being able to get information direct from our foreign ministers and consuls abroad, and also that they should be able to communicate with them direct, by sending them letters through the Foreign Office: what do you think with regard to that suggestion?—If I thought that there was any advantage in that, no jealousy for the Foreign Office or of the Board of Trade would make me hesitate about adopting such a change as that, because I have only the idea that the public departments ought to do the best for the public. This is a matter which I have also considered, and I do not think that there would be any advantage in the change, because I do not see any delay that is created, or rather that need be created, by this communication, by what you may call the passing through the Foreign Office. I think that if you had the two different departments each of them responsible, and each of them corresponding with the same people, you would find, in the long run, that it was productive of a good deal of confusion, because the correspondence must involve more or less of instruction. The two departments would then have less necessity of communicating with each other for the purpose of obtaining and giving information, and they would communicate less with each other; therefore, it is impossible to suppose that either their queries or their instructions would be framed in exactly the same manner; I think you would find that confusion would be the result of it. With regard to the working of the present system (I am not talking of the system as it is actually put into operation, although I have no doubt that it is working properly; I am talking of the system as it exists, as it may, or ought to be, worked properly), one cannot conceive that there is any delay, or that there need be any delay, worth speaking of in the working of the present system. We will say that the Board of Trade wishes to have information from the consuls in France, or any particular consul; very often it may not be of great importance whether that information comes one or two days sooner; if it was urgent, or if it was anything that required immediate attention, it should be so stated by the Board of Trade. There is not the smallest reason why the Board of Trade, upon finding, at 12 o'clock in the day, when the President of the Board of Trade has made up his mind that certain information is wanted, should not send before one o'clock to the Foreign Office; nor why, if it is required, the letter should not be despatched that night by the post to the consul or consuls, in exactly the same manner as if it went from the Board of Trade. I think you would find that the consuls, not having that divided duty and that divided responsibility, are more likely to perform their duty well than if they had to correspond with the Board of Trade separately; and I think that very often you would find that that separate correspondence would be productive of great delay, because in any of the great ports abroad, which probably would be those from which the Board of Trade would most desire to get information, the consuls are much overworked. They have very little assistance, except what they pay for themselves; and if they had that great addition thrown upon them, I think you would often find (upon that I speak hypothetically) that it would rather occasion delay than otherwise.

2988. May I ask your Lordship whether the arrangements by which the Board of Trade corresponds direct with the consuls upon matters connected with mercantile marine was made before your holding office?—It was made, I think, before my time; I do not exactly remember when it was made.

2989. That is a case in which a precedent has been established for direct communication between the Board of Trade and the Consuls by Act of Parliament; have you had any experience as to the effect of that change?—I have not had experience of it.

2990. The evidence which we have before us, making the suggestion I have referred to, went not only to the supposed advantage arising from the communications, either asking for information or conveying a requisition upon commercial matters, going quicker by the Board of Trade being able to communicate directly with the ministers abroad, but also referred to an advantage which the Board of Trade would have when requested to advise the Foreign Office upon a commercial question. For instance, in the late Treaty with Italy, it appears from the correspondence that has been laid before us, that the officials at the Board of Trade were not in full possession of the exact state of the negotiations, and that they might have been, very probably, in more complete possession of them if they had been able to communicate direct with the diplomatic body abroad; do you think that there would be any advantage in that communication in such cases?—No, I do not think that there would be. You may depend upon it that separate departments communicating with the ministers abroad would only be productive of confusion. If the Board of Trade was not fully informed upon that matter, it must have been some accidental circumstance.

2991. A suggestion

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

2991. A suggestion which has been made to obviate the difficulty of there being any collision between the two departments both instructing the foreign ministers, is that all the letters that were sent from the Board of Trade to our diplomatic body abroad, whether ministers or consuls, should go under flying seal to the Foreign Office, with the understanding that if the Foreign Secretary thought it unadvisable that such letters should go forward, he should not send them without communication with the Board of Trade, so that the risk of collision would be prevented; would it alter your view if the communication were worked in that manner?—I think that that would be a roundabout way of doing things; and that you would be exposed to delay. I can assure you that the Foreign Secretary is not always master of his own time; and supposing a letter came under flying seal from the Board of Trade, probably sent out late in the day, you could not be sure that the Foreign Secretary could be caught and made to pay attention to that letter on that day. I think that the same course might be followed as is followed in all the other departments which are either consulted or which originate matters. The Colonial Office, for instance, either sends to the Foreign Office to say that they wish for information, or that such-and-such a case has occurred demanding an inquiry, or a reply to a request for information. I need not say that the usual practice is to embody that letter in a letter from the Foreign Office, whether signed by an Under-Secretary or by the Secretary of Sate, and that letter is forwarded. I think that that is the regular course which is adopted in all the departments, and I do not believe that it has worked ill; I contend that, at any rate, it need not work ill.

2992. Another suggestion has come before the Committee, upon which we should be very glad of the opinion of your Lordship. Many of those who feel that the Board of Trade must remain a consultative department, with regard to trade questions, to the Foreign Office, as well as to the other departments, think that it is not sufficiently able to make its advice felt, and to carry with it the weight which, if it is to be responsible for giving advice, it ought to have, on account of its different position from the other departments, arising from the fact of its being a Board rather than a Secretaryship, that it holds rather a lower position than the other offices; and, therefore, a suggestion has been made that it should be replaced by a Department of Commerce, more like that in France or many of the continental countries: what do you think of that suggestion?—When I was President of the Board of Trade, I felt myself that it was not so important a department of the Government as I should have liked to have seen it, and as I should have been extremely disposed to make it; but having well considered the subject, I did not see how, in reality, it could be altered. From the duties inherent in the office, it is not an executive department, and can never be made an executive department; it is, essentially, a consultative department; it is a department in which information is collected, and from which information ought to radiate. It should always be ready to give advice; but, according to my notions respecting trade, it should never unnecessarily interfere.

2993. I suppose, at the time when you were President, the executive functions were not quite so important or so onerous as they are now; you were President, were you not, before the railway department attained its present importance?—I was. I was confining myself at the moment to commerce. I have had a good deal to do with the railways; that department is very important, but it has a very small connection with foreign trade. I do not see how the Board of Trade can be made of more importance. I do not know exactly how the business of it is now conducted; but certainly, as I say, being the repository of information, it ought, I think, to disseminate that information as widely as possible; and during the time that I was Foreign Secretary there was nothing that I thought could, directly or indirectly, be interesting or useful to the commercial interests of the country, that I did not immediately send to the Board of Trade. I was in the habit of reading every paper that came into the office, I believe, either on the day or the day after it came in, and always myself marked everything that I thought could be useful or interesting to the Board of Trade; and I believe it was always forwarded without the least delay, very often in the original, or if it was too bulky, the important matter might be copied out; but I am sure that there was never any unnecessary delay in the Foreign Office, in sending all this information to the Board of Trade. Then it was for the Board of Trade to judge in what manner that information could be made most useful, whether by publishing it in reports, or by sending it to the different chambers of commerce, or to individuals concerned in particular branches of commerce or manufacture.

2994. You were in the Cabinet, I believe, at the time you were President of the Board of Trade?—Yes.

2995. Do you not think that it may be a disadvantage that the head of so important a department as the Trade Department, especially if it be continued as a consultative body upon all trade questions, should sometimes not be in the Cabinet?—I think that quite wrong.

2996. Do you think that there is any advantage in its being a Board; for instance, in the relation in which the President stands to the Vice-President, as compared with the relation in which the Secretary of State stands to the Parliamentary Under-Secretary?—I think those are matters of form. I think that the President of the Board of Trade and the Vice-President of the Board of Trade are very much like the chairman and deputy-chairman of a Board, one acting for the other; always acting together, as they ought to do, and always consulting together, very often one being responsible in each House of Parliament.

2997. But the relation is different from that between the Secretary of State and the Parliamentary Under-Secretary; the Vice-President is not so subordinate to the President of the Board of Trade, I presume?—No, perhaps not as subordinate, certainly. The President is the Vice-President's superior in official rank, but they are both Privy Councillors.

2998. One other suggestion has been made to the Committee with which I must trouble your Lordship; it is almost a departmental suggestion. We were informed by Mr. Hammond, in his evidence, that there was no special clerk at the Foreign Office whose business it was to superintend the correspondence upon commercial questions with the Board of Trade, and he gave a strong opinion that it would be better not

not to have such a clerk. On the other hand, Sir Emerson Tennent, with whom he corresponded as the Secretary of the Board of Trade, seemed to think that there would be an advantage in such a clerk; have you directed your attention to that at all?—I cannot say that I have directed my attention specially to that point, because I think that is a departmental arrangement; but it ought, of course, to be made if any practical use could be pointed out in it. The custom at the Foreign Office would be this: for instance, I read a certain letter belonging to the German Department or belonging to the French Department, coming from a consul or a minister; I mark that "Board of Trade," then the clerk in the German or the French Department sends it on; it passes first through the hands of the Under-Secretary, and then it is forwarded directly to the Board of Trade. If the Secretary of State wishes to get an opinion from the Board of Trade, say with respect to any German or Russian matter, the clerk of that department would carry out the instructions of the Secretary of State in the form in which he wished them. I do not see that any despatch would be gained by the change, although that is a matter for consideration, in having one clerk devoted entirely to commercial correspondence. But there would be this delay: for instance, a letter comes from a consul in Germany, that letter must go, as a matter of course, to the German Department; then, if there was to be a clerk for commercial matters, the German Department clerk would have to send it to that clerk, in order that he might inform himself upon the matter before it came to the Secretary of State, who would then have to take action upon it. Therefore by having that additional clerk, you would just create an intermediate step between the German Department and the Secretary of State. The letter would have to go round by him, in order that the clerk devoted to commercial business should take the same orders from the same person, and give effect to them in the same way as now.

2999. May I ask whether the departmental arrangement in the Foreign Office, by which all business connected with the slave trade was taken out of the special countries and collected together under one official, was made during your administration, or before it or since?—Long before it.

3000. Did you find any disadvantage in the whole slave trade business being conducted by one department?—The slave trade business was a matter *per se*, and it was confined to two or three countries after all. When you took the correspondence out of Spain and Portugal and Brazil, there was not a great deal to be kept separate. That division of clerks has always, I believe, tended to create confusion in the office; that department has always been a sort of outrigger; the gentlemen employed in it were merely confined to that one subject, and did not acquire the general information which changing from one department to another must have given them, and which it is most useful that they should acquire. After years of labour, and very dull and dry labour too, they could not well dovetail into the rest of the Department. I have always thought that that division was to be regretted. At one time, the slave trade was of immense importance, and of great public interest to this country, and a separate department was created for it. I do not mean to say that the department itself has worked ill, but I do not think that there has been any advantage in the separation of it. If it had been kept according to countries, like all other matters connected with the commercial or political or financial questions with Spain, Portugal, Brazil, and other countries engaged in slave trading, I do not see that the subject would have suffered at all.

3001. I would ask your Lordship whether you have any suggestion that you would like to make with reference to the subject before the Committee?—No; I would merely just say one word more upon this point. I do beg that the Committee will believe, knowing what the tendency of their opinion is about the separation, or perhaps I should more properly say the amalgamation of these offices, that if I had any suggestion to offer which would at all fall in with their views I would give it with the greatest pleasure. I am only looking to what I believe to be for the public service, without any prejudice or favour to one department rather than the other, because I think we are all equally concerned to do our best for the public. I may add one observation with respect to the Foreign Office, namely, that if I thought it would be useful to communicate direct with any chamber of commerce or with any commercial man, either because I thought that speed, or that any other interest, would be promoted by it, I have not hesitated, and I should not hesitate, to make such a direct communication, always keeping the President of the Board of Trade informed of everything that I thought it was useful for him to know. The Honourable Member for Manchester will remember that various communications have been made direct between the Foreign Office and chambers of commerce. I think that he will recollect one very important move that was made by the Foreign Office, in conjunction with the Cotton Association at Liverpool, and I will take that as an instance. The Cotton Association, long before the Civil War broke out in America, with very proper foresight, endeavoured to look round and see from what parts of the world cotton could be supplied, in order that they might become less dependent upon one source of supply alone, and they communicated with the Foreign Office. I think the Honourable Member will recollect that I was not slow in meeting their wishes. I determined that to every part of the world we would send out circulars and endeavour to get information. Now, supposing that the Cotton Association, or the Chamber of Commerce at Manchester engaged in this inquiry, had had to communicate, and did communicate, with the Board of Trade, the Board of Trade must have come to the Foreign Office, and inquired who were the different consuls, and where the circulars were to be sent out to. We did not stop at the consuls, but wherever we thought information could be got, that was likely to further this object, those circulars were sent from the Foreign Office all over the world. I read all the replies as they came in, and forwarded them straight to the Cotton Association. I give this as an example of great rapidity being obtained upon a very important subject, where the inquiry was urgent, and where the answer was obtained more quickly through the Foreign Office, than it could have been obtained in any other way. I consulted, I believe, the Cotton Association also, as to whether we might not stimulate the growth of

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

cotton through them; the Foreign Office procured seed; through them we got cotton gins, which I sent to Lagos, and to other places on the African Coast, endeavouring to excite a competition, and to create an interest in it amongst the native chiefs. Therefore, I must say that wherever the Foreign Office, as far as I am acquainted with it, saw even an opening to be useful to commerce, or to promote commercial interests, I can answer for it, as far as I was concerned, that there never has been any hesitation in seizing the opportunity.

3002. Mr. *Cobden.*] You had been at the Board of Trade before you were at the Foreign Office, I believe?—Yes; in 1847.

3003. And earlier in your public life you had fulfilled, at least, one mission of a commercial character abroad?—Yes.

3004. Your Lordship has given considerable attention to questions of commerce, and political economy, as we all know?—Yes; I was for six or seven years a Commissioner of Customs.

3005. It was during your tenure of office at the Foreign Office that the secretaries of our foreign embassies were required to send home periodical reports upon the commerce of foreign countries, was it not?—Yes; that originated with me.

3006. You must have had many advantages, as Secretary of State for Foreign Affairs, in a commercial sense, over most persons who have filled that important office?—It is not for me to say that I had any advantages over anybody else; commerce was a subject that interested me all my life.

3007. It is no disparagement to the important office of Foreign Secretary to say that, generally speaking, persons who fill that post have not the same advantages that you had in understanding commercial questions at the Foreign Office, or, probably, the same interest and zeal in reference to these matters; and, I may say, without any disparagement or offence to the Foreign Office, that the impression amongst commercial men is, that there is a great want of knowledge at the Foreign Office upon commercial questions. You are aware that the reason why this Committee is assembled is, that there is that impression; would you not think that of itself a very good reason, if there were no insuperable obstacle, that there should be either a department at the Foreign Office, where commercial questions should be specially understood, or that authority should be given to the Board of Trade to deal directly upon commercial questions on behalf of our commercial interests?—I do not see how having a commercial staff in the Foreign Office would diminish or remove the ignorance you suppose to exist in the Foreign Secretary. He might send down-stairs to those gentlemen who are learned in commercial matters for information; but I do not suppose he would put himself to school, and endeavour to get general information upon commercial matters; he would not have the time, and, possibly, not the inclination to do so; but he would always ask for information upon particular subjects, in order to see deputations, to conduct negotiations, and for other matters upon which commercial information was necessary to him; he would send down-stairs to the Commercial Department of the Foreign Office for the information he required, but he would gain no time, and, very possibly, obtain less correct information by sending down-stairs in his own office than by sending over the way to the Board of Trade. And you would find probably, that the Commercial Department in the Foreign Office, upon all matters of real consequence, would not venture to act for themselves, but would go over to the Board of Trade, and inquire what was the answer that should be given to the inquiry of the Foreign Secretary.

3008. You are aware that in the French Foreign Office, there is a Commercial Department?—Yes, there is a Commercial Department, but there is also a Ministry of Commerce. You must be aware that the French Foreign Office interferes in matters of commerce a great deal more than our own does.

3009. Apart from great questions of a diplomatic character, I mean with reference to the negotiation of Treaties of Commerce abroad, there are a multitude of cases in which merchants and manufacturers have occasion to apply to the Government for aid in the removal of difficulties abroad, in the way of their business; if you could not have a department in the Foreign Office that would enable those matters of detail to be arranged without reference to the Board of Trade, would there be any insuperable objection to the Board of Trade dealing directly with our ministers or agents abroad, whether consular or diplomatic, upon those matters of detail?—I do not see any insuperable objection in anything; I do not admit that there is any insuperable objection to any improvement that could be shown to be an improvement; and if it could be proved that this would afford despatch, or promote greater regularity in the performance of business, or give greater satisfaction to the commercial community, and more especially the commercial complainants in such cases, there is no difficulty in anything. But what I should look to first, is to show that it would be an improvement; I do not think that it would be an improvement, because a divided responsibility and a divided allegiance never works well in the long run, and I should say with respect to the foreign ministers as I did with respect to the consuls before, that it is more easy for them to work well with their own department, than if they get instructions from another. It would be impossible for the Board of Trade and the Foreign Office, with the best intentions towards each other, always to preserve that harmonious action that I think would be best for the public interest. I do not see where the delay should arise. I am not saying that it does not arise, but I do not see where it need arise. I can see no necessary delay in that sort of intercommunication between the two officers, in the one being, in one respect, an organ of the other, just as the other is a repertorium for the information of the former. I do not see why these two should not work quite harmoniously together, or why the Foreign Office should not take immediate action upon anything that the Board of Trade require. If the Board of Trade receives a complaint of some impediment, such as has been alluded to this morning, that a merchant has met with, at a particular port, wrong duty charged or wrong interpretation of the tariff; for that it may be necessary first to have a consul's report, in order that you may be quite sure of the ground you have to go upon, for you cannot always take for granted exactly what the complainant, who of course takes his own view, says; therefore you may have to refer to the consul for information upon it. It may be

be a case which is so plain that you would immediately send it to the minister. I see no difficulty in its being sent over by the Board of Trade to the Foreign Office; the Board of Trade has to decide whether it is an urgent case or not; if it is urgent let them put "urgent" upon it; let it be accompanied by a letter to the minister or ambassador abroad, stating that great inconvenience or injury will result from delay in this matter; let this letter go direct to the Minister of Commerce, or the Minister of Foreign Affairs; let it be expedited in every way you can. I should say that orders coming in in that way from the Secretary of State to a minister or a consul, would (I do not mean to say that they ought to meet with more attention, but we all know what the subordination of departments is) be very likely to meet with more attention than if they came from the Board of Trade. I say that without meaning to cast the least blame upon ministers, consuls, or any one else.

3010. You are aware that in arranging the Treaty of Commerce with France, after the principle of the treaty had been determined upon, and during the negotiation of the details of tariff, the whole of the correspondence was carried on between the Commissioners in Paris and the Board of Trade?—Yes.

3011. Would there be any objection in your Lordship's mind, in the Board of Trade still continuing to carry on the correspondence with Paris, in any questions that arose out of the working of the treaty, in reference to the details of the tariff?—I think none. Give me leave to say, with respect to your negotiation of your treaty, that I look upon it altogether as an exceptional case, but most fortunate in every respect. I think that it was quite right that you should be placed in communication with the Board of Trade, not because that department was better than the Foreign Office *per se*, to be put in communication with you, but because they might communicate with all the different interests upon all the infinitesimally small matters with which you had to deal, and which were, of course, matters of very great anxiety and trouble to you. I think the Board of Trade were more direct in their means of communication with all the different interests, the chambers of commerce and others, than the Foreign Office would have been; therefore, in answer to your question, whether the communication so begun should be so continued, I should quite agree in it with respect to that particular case. But then you must remember that that is a case which has scarcely ever happened before, and I do not know that it is very likely to happen again, with respect to the negotiation of a tariff in all its details. You know that we never should have improved our commercial relations with France, unless we had had a treaty; that was the thing that obviated all the protectionist's objections. I need not tell you that that had to be worked out as part of an international negotiation in all its details, and, therefore, I think it was quite right that you should go to the department that had, not exactly possession of all these details, but had much better machinery than the Foreign Office for obtaining all the information you wanted. I look upon that as a case *per se*.

3012. You are aware that an arrangement was specially entered into for corresponding with the Board of Trade, with a view to save time and trouble in the negotiations?—No doubt.

3013. Does not that same argument apply to each individual case that arises out of the treaty, or any difficulty with respect to any individual transactions of our merchants or manufacturers with any foreign country. Would there not be a saving of time by having a direct communication between the Board of Trade and our missions abroad upon matters of detail connected with trade?—I do not think there would, because I think it would be exceedingly difficult to draw a line where detail ends, and what is not detail begins.

3014. You stated at the outset of your evidence that you corresponded between the Foreign Office and the Board of Trade by letter, upon all matters connected with commerce. When the manufacturing and trading community know that in going to the Board of Trade to state their individual grievances, they are merely setting in motion a machinery by which there shall be a correspondence across Downing-street to the Foreign Office, and that their business is to be transferred from the Board of Trade, which has full knowledge upon these subjects, to a department which is avowedly without knowledge upon these subjects, must it not be unsatisfactory to the commercial world; must they not feel that their business is imperfectly, or, at least, is not very promptly or speedily attended to?—I do not see why it should be so, because, when they go to the Board of Trade (though I believe they come straight to the Foreign Office sometimes) and represent a grievance, they know that the Board of Trade, if it considers that grievance well founded, records an opinion upon it, and sends that opinion upon it to the Foreign Office, and then makes the Foreign Office its mouthpiece. The Foreign Office, in endeavouring to remedy that grievance (I am not talking of matters of mere detail), has to communicate with a foreign Government, and that is done more quickly by means of the Foreign Office than, I believe, it could be done by the Board of Trade. If merchants, coming to the Board of Trade, go away from the Board of Trade with the idea which you suggest, I think they entertain an erroneous idea. They merely go there and make the Board of Trade the channel for getting an authentic report and an official backing of what they want, to the mouthpiece of the Board of Trade with foreign governments. If I were in their place, I should not feel dissatisfied, provided that I felt confident that the Foreign Office would give immediate effect to and take up, in whatever way was necessary, any well-founded complaints that wanted redress.

3015. You are aware that the manufacturing community, through their chambers of commerce, have expressed their dissatisfaction with the present arrangement, on the ground that it does cause delay in the action of the Government upon their special matters?—Yes, I have heard so; but you know that a general denunciation of a department of that kind does not carry conviction unless there is some proof of it.

3016. I understood your Lordship to say that you thought that communications might be made with greater despatch through the Foreign Office than if the Board of Trade corresponded directly; can that be so, seeing that it involves two communications, by writing, instead of one?—That entirely depends upon whether the matter is urgent or not. There is no delay, supposing that the Board of Trade, as I said before, in the morning

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

morning or in the course of the day, sends over to the Foreign Office word to the Under-Secretary of State or word to the Secretary of State, "Here is an urgent matter; do not let this be delayed; let your ambassador or a foreign minister be written to directly, and let it go by post to-night;" it would be just as certain to go by post that night as if it had gone from the Board of Trade.

3017. In these days of steam and electricity, when commercial transactions are carried on with great rapidity, are not all matters affecting commerce urgent?—Certainly; but you are aware that where a question arises upon the interpretation of a tariff, or where a principle is involved, although I do not mean to say that 24 hours may not be, sometimes, very important, yet there are cases in which it may not be important. Whenever any matter is of urgent importance, I am perfectly sure, from my recollections of the Foreign Office, that there would not be any delay. My objection to the double correspondence is, that neither department would then know exactly what the inquiries made, or what the information asked for, have been. I believe that, although in the first three or four months you might not find it so, yet, in the long run, it would be productive of more or less confusion, and confusion is always productive of delay.

3018. Would there be any necessity for the Foreign Office keeping itself constantly informed as to the progress of this correspondence regarding mere details?—I think it would be very difficult to define where details begin or end; what is a detail?

3019. I mentioned to your Lordship, that all the details of the French treaty were arranged by correspondence with the Board of Trade, and I assume that there are a great number of cases of difficulty, or of want of interpretation and explanation, arising out of the working of that treaty; my question was, whether there was any objection to the Board of Trade now corresponding with Paris direct upon those questions, as it corresponded during the negotiation of the treaty?—No; but your answer to my general question of what are details, is a particular and exceptional one, because the details that were then under discussion, were not those details that will arise in the ordinary course of commerce; they were details as to the nature and value of manufactures, and everything else connected with the mercantile community upon which information was required, in order that they should be taxed, and that they should be compared with other commodities more or less of the same kind. Those were details of a most important kind, which it was absolutely necessary for you to know, but quite exceptional in their nature, and not the kind of details likely to occur in the ordinary transaction of commercial business. If there is any doubt now arising upon the interpretation of your treaty, as to the correctness or incorrectness of the details which you procured from the Board of Trade, and which are now contained in that treaty, and which are consequently matters, I may say of international obligation, I should see no objection whatever in whoever it may concern going to the same source for information from which it was supplied to you.

3020. That would partially meet the difficulty which the manufacturers and merchants have been labouring under for some little time; but could you not carry out that principle a little further. The French Government has been making treaties with other countries, and we have come into the same terms as the French, under the favoured-nation clause; would there be any insuperable objection to a merchant or manufacturer going to the Board of Trade and complaining of some grievance arising out of the Custom-house regulations in Italy or Belgium, or elsewhere; and if it was thought desirable by the merchants and manufacturers of this country that the Board of Trade should be also empowered to send communications with those countries, under flying seal, through the Foreign Office upon questions of detail?—I do not understand who they should be sent to.

3021. To our ministers at those places, either at Brussels, or at Berlin, or at Turin?—I see no objection whatever to that; it comes to exactly the same thing as the present system. As I took leave to suggest some little time ago, I think that that might be often productive of delay, because you cannot expect the Foreign Secretary to send forward a letter that comes under flying seal to him, and desire the minister abroad, whoever he may be, to use his utmost exertions to give effect to it without making himself cognizant of the contents of that letter, in order that he may be responsible for the conduct of his agents. As I said before, such is the pressure of business, as I can testify, upon the Foreign Secretary, that you cannot always rely upon a letter under flying seal coming to the Secretary of State being sent forward that day. I am quite certain that if it were sent late in the evening it would not be forwarded. Otherwise I see no very great objection to it, if it was thought to give any facility; but I think it comes to the same thing. If it comes to be understood that any letter received under flying seal from the Board of Trade is sent forward under the responsibility of the Foreign Secretary, then it appears to me to come to exactly the same thing as the present system. I do not see how the mercantile community would gain any advantage by it.

3022. The mercantile community feels itself in this difficulty; the Foreign Office avows its want of knowledge upon commercial questions?—Does the Foreign Office avow its want of knowledge upon commercial questions?

3023. I understood you to say, at the commencement of your examination, that the Foreign Office would never take a single step upon commercial matters without consulting, by writing, the Board of Trade?—When I said a single step, of course I meant upon matters of importance upon which information or reference was necessary for the support, the assistance, and advice of the Board of Trade. From that I beg that it may not be inferred that I admit that the Foreign Office avows its ignorance upon commercial matters, for I do no such thing.

3024. If the Foreign Office were sufficiently well informed within itself upon commercial questions, would it be under the necessity of consulting the Board of Trade upon matters of commerce?—There is no amount of commercial information that officials of the Foreign Office have had that could do away with the necessity of further inquiry upon cases that arise.

3025. In matters of detail connected with commerce abroad, would it not be even more important and necessary to consult the Board of Trade

Trade than on matters in which a great principle is involved?—Certainly, I should say so.

3026. Seeing that it is necessary to consult the Board of Trade always, is it unfair towards the Foreign Office to assume that it does not possess the necessary knowledge within itself upon these questions?—As to the possession of knowledge, that is an extremely vague and indefinite expression, whether applied to commercial or to any other knowledge. The Foreign Office may possess knowledge upon a great many subjects; it may possess knowledge upon Colonial matters, upon legal matters, and upon a variety of other subjects which necessarily come under its consideration, yet it would nevertheless desire and require to have further information upon those matters, to be sure that it is quite right in its own interpretation, and it would desire to consult those departments of the Government which are specially created for that purpose.

3027. Has your Lordship seen the Report of the Associated Chambers of Commerce, in which they state the difficulty under which the commercial world finds itself placed, namely, that in going to the Foreign Office they find a body not acquainted with matters of commerce, which refers them to the Board of Trade, and in going to the Board of Trade, they find a body which is acquainted with their interests, but which is incapable of acting?—I have not seen that Report, but I think that that statement is one of those vague statements that are easily made; that impression may arise from some particular case, but that remark, I should say, was not of general application.

3028. I understand you to say that you would see no practical difficulty or impossibility, if it was more satisfactory to the commercial and manufacturing world, that upon all matters of detail connected with the working of foreign tariffs, the Board of Trade should communicate with our foreign missions directly, with a view to the redress of their grievances?—I say that I see no objection to anything, and that I regard no difficulty as insuperable, provided you can show that the public interest will be served by it; that was a general statement; in particular, I said that I saw no objection to the communication by the same persons with respect to the same character of details; that is to say, regarding the Paris Treaty, with the same sources of information which they addressed themselves to before. But with respect to details in general, it would be very difficult, as I have said before, to specify where details begin or end; I see just the same difficulty with respect to the correspondence upon details as I do with respect to other matters.

3029. Would it be unsafe to take the shrewd men of business in the country, the merchants and manufacturers, as good judges with respect to what would most facilitate their own interests abroad?—Shrewd men of business are very good judges of their own interest, no doubt, in certain respects; but I do not know that they would be the best judges of what would be the most effectual way of promoting their own interests with foreign governments.

3030. Mr. *Kinnaird.*] I think your Lordship stated that you were in the constant habit, when you were Foreign Minister, of communicating with the Board of Trade?—Always.

3031. And you found them generally very well informed upon matters of trade?—Always, upon all matters upon which I have referred to them, or upon which I have asked advice. We have had some most valuable reports from the Board of Trade. When I mention the names of Mr. Porter, Sir Emerson Tennent, and others in the Board of Trade, it is almost unnecessary to say that any information they have given was given in the most complete and acceptable form.

3032. Have there been any difficulties at the time when the Foreign Office was conducting a treaty with any foreign country, in attaching any subordinate officer of the Board of Trade to aid and assist in doing that?—None whatever.

3032.*—There never was any jealousy on the part of the Foreign Office in availing itself of that assistance?—None whatever that I know of. I should have no hesitation, if I was conducting a negotiation like that which led to Mr. Cobden's treaty, in following the course which was then adopted. It would be most inexpedient and most unwise not to send, as was done in that case, the very best officers from the Board of Trade to assist the person who was negotiating by communicating with his own department, in order to obtain all the information he wished. In that manner the French treaty was negotiated; and in any negotiation in which I thought it would be useful, I should have no hesitation in applying to the Board of Trade, with just the same certainty that the best man would be selected for the purpose as if I applied to Mr. Layard or Mr. Hammond to tell me who was the best clerk in the Foreign Office to assist in a certain negotiation.

3033. Supposing that the negotiation reached a certain point, would it not be necessary that the Foreign Office should conduct the wording of the treaty; is not there a great deal in the details of the drawing up of treaties which only the experience of the Foreign Office can bring about successfully?—I should say so, certainly. Supposing that a Minister, aided by a gentleman from the Board of Trade, was to draw up a treaty, I should not consider that treaty safe to sign, until it had passed through the experienced hands that would have to revise it, or look over it in the Foreign Office.

3034. I think your Lordship has had a great deal of experience with regard to treaties which have required a great deal of revision?—Certainly.

3035. And, therefore, you think it of the greatest importantance that the final conducting of such treaties should come through the foreign department?—I should be very sorry to sign a treaty that did not.

3036. I suppose you have not had time to read much of the evidence that has been given before this Committee?—In the last two or three days I have been rather engaged, but I have seen some of it.

3037. There has been some evidence tending to imply, I think, that there is a feeling amongst the commercial classes, that Spain has remained shut up from commercial relations, owing to the absence of sufficient energy, I may say, on the part of the Foreign Office, in securing the commercial relations which are so important to this country with Spain. Having been so many years in Spain, perhaps your Lordship can give the Committee some information as to whether that impression is well founded, that some neglect and some want of energy in the department, has brought about the result of that want of commer-

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

cial reciprocity with Spain?—I certainly cannot speak for the department now, but I have not the least doubt that my noble friend, Lord Russell, has been active about it. I will only speak of my own time, and more particularly of the time when I was Minister in Spain, which was six years. I can say that I never lost an opportunity with all those Governments that so rapidly succeeded each other in Spain, of endeavouring to produce a better state of commercial relations between the two countries, whether by alteration of tariff, or treaty, or in any other way that could be suggested. But in spite of every effort that I made, although I must say I found some ministers, and indeed some Governments, favourable to the change, none of them were able to make one single step in advance, such was the political influence of Catalonia, and so much fear did the Catalan deputies inspire. So strong was, in the first place, the protective, and the next place, the smuggling interest, in which the highest people in the land were concerned, that all my efforts broke as against a dead wall. How far that protectionist feeling is yielding before the march of events and the experience of other countries, I cannot say at the present moment ment; I can only state that it was from no want of effort during the time that I had anything to do with it, that the relations between the two countries were not put upon a different footing.

3038. You do not think it proceeds from any remissness upon the part of our Government, but from the inherent protectionist principles in Spain, which are almost an insuperable obstacle?—Certainly; a remonstrance on our part in favour of free trade, would have been met by Spain just as a remonstrance by Prussia would have been met in this country before the year 1845, in order to procure a better corn law in England.

3039. Would you think it desirable when there are commercial conferences, seeing that foreign powers are in the habit of having either their secretary of embassy, or their first attaché attending those conferences, and thereby acquiring additional commercial knowledge, that that course should be adopted by our Government?—I can give you no answer to that, because I know of very few commercial conferences which have taken place of any kind. If any do take place at which the English Minister attends, I think he would take the attaché with him to assist him in taking notes.

3040. Did it not probably arise from the exceptional character of the negotiation of the French Treaty, that no such course was taken then?—Perhaps; I know of no commercial conferences.

3041. There would be no objection to that course being taken, would there?—None whatever. I am quite sure that it is the feeling of all our Ministers and Ambassadors that they desire that the different legations should be fully conversant with commercial matters which are every day increasing in importance, not only in their commercial, but in their political character.

3042. You decidedly do not recommend the experiment which has been made in regard to putting the slave trade into a particular department at the Foreign Office, to be repeated in the case of commerce?—I think not; I do not see that it would work well.

3043. You do not, therefore, recommend any great alteration in the system which has been going on up to the present time?—No; what I should recommend, would be that those shrewd men of business, who are acquainted with their own interests, having made certain complaints, and being under certain impressions whether erroneous or not, their complaints should be duly considered both by the Foreign Office and by the Board of Trade; and if any improvement can be made in the existing system, I am quite certain that both those departments would be willing to make it; but I do not see my way to any radical change in the system that I think would work well for the public. If I did, I would not wait to be asked about it; I would mention it at once.

3044. Sir *Minto Farquhar.*] With respect to Belgium, and also the Italian Treaty, complaints were made that delay had taken place; do you think it likely that in those cases the commercial gentlemen who made those complaints, did not sufficiently weigh and consider the political reasons which operated in both cases to prevent the rapid completion of the treaty between the two countries?—I think it very likely; I am not aware of the circumstances of either of those cases; they were not in my time. If such complaints had been made to me, and if political causes had occasioned the delay, there would not have been the slightest difficulty in telling the complainants what those causes were, in full reliance that they would accept them as reasons just as I should offer them.

3045. In the evidence we have had from one of the presidents of a chamber of commerce, it was stated with reference to our diplomatic corps, that they were not fully conversant with commercial matters, that they were a very gentlemanly body of men, but that their education was not exactly that which fitted them for carrying on commercial matters in the states in which they were placed. The inference I drew from that was, that they were not urged sufficiently by the Foreign Office to direct their minds specially to commercial subjects, and that they gave a preference to political over commercial matters; nobody has had a greater experience than your Lordship upon this point. I should like to ask you whether if you supposed that any of our representatives abroad, whether he were an ambassador, a minister, or a secretary holding his position as a Chargé d'Affaires, neglected in any way commercial matters which were of importance to this country, he would not receive an immediate reprimand, and perhaps an intimation that his services would not be required if he persisted in such a course?—Speaking only for myself, if I was in authority, I will say that there is nothing which I should treat more severely than any neglect of commercial interests, because I think it is impossible to know how far an injury may extend, and therefore there should always be the utmost care in dealing with those interests. With respect to any complaint that diplomatic employés are not well informed upon commercial matters, I think their attention has been directed to it a great deal more lately, and I think those reports that have to be made, have created a great stimulus and emulation amongst them; I believe that amongst those reports will be found some as able papers, and papers containing as valuable information as ever were made public in this country; I think that that has created a great deal of emulation in the lower ranks of the diplomatic body. I think there is no young gentleman who comes to be a secretary

of

of legation, or a secretary of embassy, who would not wish to stand as well before the commercial world as with his own Government, for having contributed information which may be useful to the country. I think, therefore, that it has worked extremely well; but it is very difficult to acquire a general commercial knowledge. If we send a man to one of the minor German States, he may have knowledge with respect to the commerce of the Zollverein; but he very likely will not have it upon all commercial subjects; and a commercial gentleman going there may ask some particular questions upon which he may not find that young gentleman informed. But if the question was upon any matter within his own reach and scope, I should blame that young gentleman very much if he was not able to procure that information, and to give it to the person requiring it. I am sure that not only at the Foreign Office, but by all the heads of missions, attention now is really turned in a very different way from what it was 20 or 30 years ago to commercial questions; the magnitude of our commercial relations has created an interest that did not exist before.

3046. It has also been stated that if our ministers and others were put in direct communication with the Board of Trade, which is considered the consultative department upon all questions of trade, the fact of that corresponding with the Board of Trade would give them an impulse, and desire to show their knowledge of commerce, more than the present system of communicating with the Foreign Office. Do you not think that the Foreign Office would instantly mark out a man who showed zeal and knowledge upon questions of commerce, and all matters of that kind, which are so important in these days?—Certainly; and it would be able to reward him and promote him, and make him a more useful public servant, far better than the Board of Trade could do. But, after all, in the correspondence between a Minister abroad and the Board of Trade there is nothing to enliven or instruct either the Minister or the department; that benefit is all imaginary. If the Board of Trade writes to a Minister in Bavaria, in Stuttgard, or anywhere else, about a commercial question, it can only write about details, and he can only answer about details; therefore, the advantage of that correspondence, with a view to making a man more alive to his duties—which he ought to be alive to, without being enlivened, as I may say, by points of detail being run into him—is quite imaginary.

3047. Mr. *Bazley.*] In my own experience I am quite aware that when your Lordship was Foreign Minister you were very exact and prompt in your correspondence with such bodies as the Manchester Chamber of Commerce; and I am quite aware that you are well acquainted with the principles as well as the details of commerce; but may it not happen that a very distinguished politician may not be very well informed upon commercial subjects, and, therefore, is it not desirable that there should, if possible, be as perfect a system connected with the Board of Trade and the Foreign Office as can possibly be established?—I understand the bearing of the question to be, that if a distinguished politician is at the Foreign Office, and is not acquainted with commercial matters, that may render him still more dependent upon the Board of Trade, and that, therefore, a different system would be required. My answer to that would be, that I think you cannot provide departments for particular cases. I think that whether a man has commercial knowledge or not, he is obliged to employ the same machinery for arriving at an opinion in either case. I do not consider that I was wholly devoid of commercial knowledge when I was at the Foreign Office. Commercial affairs interested me particularly; but I never should on that account have foregone any precaution or means for acquiring information that I should have resorted to if I had had no knowledge at all, because no man ought to be so entirely confident in his own judgment as to be certain that he could not get something from others; and before I decided upon a matter which concerned others, and very often affected most important interests, I always sought the information that I thought would be most useful.

3048. There certainly prevails, in the commercial community, the impression that, if there had been a commercial department at the Foreign Office, and if they had been more active, or if there had been a foreign department at the Board of Trade, possibly our commercial relations might have been very considerably extended. The men of business in this country also complain that when they apply to the Foreign Office they do not obtain specific information upon the points respecting which they inquire; they are referred to the Board of Trade, and they consider that from there being two departments to be referred to upon matters of business, they lose the object which they wish to promote, namely, the extension of commerce. It is supposed that if there had been more activity in the case of Italy and Belgium, possibly we might have had more satisfactory treaties with those countries than we have, and that it seems to have been rather the policy of our Government to follow France than to lead France in obtaining commercial treaties; what is your opinion upon that?—Upon that subject it must be said that the commercial community here, when they find that our commercial relations are not extended so much as they would desire with other countries, of course look about, first of all, for somebody to blame, and then they fall, of course, upon the Foreign Office, and the employés of the Foreign Office; but they do so, I am quite certain, from my own knowledge, in many cases, and I dare say, in others besides, upon insufficient information, and upon merely their own supposition, because our position is very different from that of other countries. You must remember that we have, happily for ourselves, and for many other nations also, adopted a system of free trade, and that consequently we have very little to give; and other countries say, that they will not part with that which they still hold to very dearly, their high tariffs and their protectionist principles, without getting something in exchange. When we go and say to them, We have nothing to give you in exchange, but we wish you would, for your own interests, and in furtherance of the principles that we have proved to be advantageous to ourselves, adopt similar principles, and give us the facilities that we have already given you; the answer invariably is, We are exceedingly obliged to you for the care you take of our interests, but we claim to be the best judges of them ourselves. That is how our constant advances, to induce other governments to adopt free trade, and our constant remonstrances against

The Right Hon. The Earl of *Clarendon*, K.G.

28 June 1864.

against not having the same facilities which we have offered, are met. That is the reason why we often appear in the wake or at the tail of other countries, such as Belgium or France, because they have concessions to make which we have not. It is very advantageous to us to come in, in the only way we can come in with those countries, who otherwise would give us nothing; namely, under the Favoured Nation Clause. If we did not get that we should only remain where we are; therefore, you see that that which is offensive and annoying to our mercantile men, namely, our coming, as it appears, in the wake of other countries, is in reality the only means by which we can arrive at what we desire to establish.

3049. Regarding our consuls as essentially commercial agents, could not the Board of Trade correspond directly with them, leaving the diplomatic and political correspondence with the Foreign Department?—I think I have answered that question tolerably fully before. I said that I did not see where the advantage would be; I do not think you would gain anything in the matter of time, and I think it would be imposing upon our consuls more labour, although many of them have now more than they can get through. I think you would impose further labours upon them, and that might create delay. I see no delay that need take place in the Foreign Office; of course there may arise matters of complaint from there being occasional delay. I only speak of the system as it is, and as it may be worked. Of course there are particular cases, such as that case of Mr. Cobden's Treaty of Paris, in which you might make exceptions, but as a general rule I do not think that the separate correspondence of the Board of Trade with the consuls would be advantageous, because, as you are aware, it must be carried out completely or not at all. I defy anybody to draw a line between the details, taking commercial matters generally, upon which the Board of Trade shall communicate direct with the consuls, and those other matters upon which they shall communicate through the Foreign Office. If you establish a correspondence with the consuls, it must be complete upon all commercial matters; then you create a necessity for a double correspondence. The Board of Trade must then send copies to the Foreign Office of all the letters that it writes to the consuls, and the consuls must furnish to the Foreign Office copies of the answers that they have sent to the Board of Trade, and double sets of information as to the steps which have been taken must be provided; otherwise you would have the two departments constantly jarring with each other, both at home and at the seat of Government in the foreign country to which the matter relates. Therefore I see no advantage, in point of time or commercial facilities, in that system being adopted.

3050. A clever executive will generally remedy the defects of a system, but do you not think that our system could be improved; perhaps your experience would enable you to make some suggestion to the Committee with respect to the difficulties that are acknowledged to arise between the Foreign Department and the Board of Trade?—It is a question for the departments between themselves; I am convinced that those departments, if they are the same as they were in my time, have no other desire than to promote the public good. If by consulting with each other in any way the complaints can be met and greater facilities given, I am certain that that will be done; I have no different system to suggest.

3051. Mr. *Layard.*] It has been suggested before this Committee that the Board of Trade and the officials in the Board of Trade, might be placed in direct communication with the foreign Ministers in this country; would you think that a practicable or an advisable course?—No; I do not think you would get a foreign Minister to agree to it.

3052. Such a thing is not done in any other country, is it?—Not that I am aware of, except in exceptional cases, such as that Mr. Cobden referred to, in which you would write to Lord Cowley or Sir Anthony Buchanan and say, "This is urgent, we want an answer directly;" it might then be sent to the Minister of Commerce, but it would be done as a favour, and as an exceptional case; it would not be liked.

3053. The Honourable Member for Rochdale asked you whether, as he at Paris had carried on communication with the Board of Trade, with regard to the details of the tariff, the Board of Trade could not now carry on communications with the French Government upon commercial subjects connected with the tariff; I think you said you had no objection to that?—I said I had no objection to continue the system which was begun.

3054. In the case of the negotiations at Paris, there were Commissioners appointed on both sides to discuss the questions of tariff; therefore, in that particular instance, they might have referred undoubtedly to the Board of Trade, but when you come to a question between the two Governments, do not you think that the Foreign Office ought to be intermediary in the communications?—Yes, certainly. My answer to Mr. Cobden was, that the same machinery might go on to settle details, or any difficulties that arose about details, as existed before.

3055. That is to say, supposing those were mere details of tariffs?—Yes, interpretations of the tariff, and so on.

The Right Hon. Earl Russell, K.G., attending by permission of the House of Lords; Examined.

The Right Hon. Earl *Russell*, K.G.

3056. *Chairman.*] Your Lordship has been twice, or more than twice, Foreign Secretary, I believe?—Twice; the first time for a very short time.

3057. You never were connected with the Board of Trade, I think?—Never, in any way.

3058. So that your special experience with regard to the matters of our reference would be as Foreign Secretary and as Premier?—Yes.

3059. You are aware that the Committee has been appointed to inquire into the relations between the Foreign Office and the Board of Trade, with reference to trade with foreign nations, in consequence of the dissatisfaction with the present working of those arrangements, which has been expressed by the commercial community?—Yes, I am aware of that.

3060. Two or three suggestions have been brought before the Committee, upon which the Committee will be glad to know your Lordship's opinion. I will go over them *seriatim*; the first is, that merchants and manufacturers have felt that

that there is delay, and that there may be inefficiency in having to communicate with two offices instead of one; and, inasmuch as the Foreign Office must conduct the negotiations, they would think that it might be more advantageous if they were to have to do with the Foreign Office only, and not be obliged to go to two offices. Consequently, a suggestion has been made that the staff, that is to say, the permanent officials, at present at the Board of Trade, whose business it is to obtain information in regard to trade, should be placed at the Foreign Office, so that the Secretary of State should have within his own office the means of acquiring information upon details, instead of having to go to another office. What is your Lordship's opinion with regard to this suggestion of a commercial department at the Foreign Office?—I do not like to give a very decided and ultimate opinion with respect to any of those matters until the Committee have taken all their evidence. I wish to say that, in order to save myself with respect to any future conclusions that I might arrive at. But my impression is, that there would be no public advantage in it at all, and there might be some considerable disadvantage. I think that the Foreign Office has certainly quite enough to do; if you mean that the Secretary of State should, besides what he has to do, be obliged to be acquainted with all the details of trade, and to enter into them, I think that that would be nearly impossible, as far as my experience goes.

3061. That is not exactly the suggestion; it is rather this, that inasmuch as the Foreign Secretary has to obtain that knowledge with regard to detail, or, rather to obtain the result of that knowledge from some quarter, instead of obtaining it from another department, he should have gentlemen in his own office who would be able to give it to him, and he would then be under the advantage of being in personal communication with those gentlemen, instead of obtaining that knowledge at second-hand through his colleague, the President of the Board of Trade, or by epistolary communication between the two offices?—I should say that the present way was the better way of the two. It seems to me to be so very extensive a matter that it is very desirable to have an officer specially intrusted with that matter, and from whom the Secretary of State should get his information from time to time; I am afraid his information would be very incomplete if it was to depend entirely upon the gentlemen in his own office.

3062. There are two division sof that suggestion; one is, that such staff should be under a Parliamentary Under-Secretary within the Foreign Office, whose business it should be to be particularly conversant with commercial questions; and the other, that it should be under a permanent Under-Secretary. In the one case, the head of the commercial department of the Foreign Office would be in Mr. Layard's present position, and in the other case, he would be in Mr. Hammond's present position. Would your objection apply to both of those cases?—I think so. It does not seem to me that the business would be so well done. When you have the Board of Trade, you have a complete office competent to do its work, whereas, I am afraid that this new office would not be competent to do its work, and then if it went to the Board of Trade to seek for information, that, again, would be only a new complication, making the carrying on of the business more difficult than it would otherwise be.

3063. I suppose that at present, when any question with any foreign Government comes before you, in which politics and commerce are intermingled together, upon the political part of the question you would consult, personally, the officials within your own office whose business it is to acquire knowledge of details with regard to it?—Yes, certainly.

3064. But with regard to the commercial part of the question, instead of being in personal contact with such officials, you would be under the necessity of obtaining your information at second-hand, either by Mr. Hammond or some one of your staff, communicating with the staff of the Board of Trade, or through Mr. Milner Gibson; do you think that there is no fear of a commercial question rather suffering as compared with a political question, from your having direct and immediate information in the one case, and indirect and second-hand information in the other case?—I do not well see how it can be otherwise. If a matter of commercial importance arises I send to ask Mr. Milner Gibson to ask him to come to me, or Mr. Milner Gibson walks into my room, and tells me what his information is upon a certain commercial subject, and what he thinks ought to be done upon it for the benefit of commerce. He tells me all the representations that have been made to him upon any particular class of goods, for instance, that are not properly rated in a foreign tariff, and informs me on any question of that kind.

3065. May I ask your Lordship whether your communication with the Board of Trade upon commercial matters, such communication being the means by which you obtain their opinion, is almost entirely through the head of the office, the President of the Board of Trade, or whether you individually have communication with the officials of that department?—No, I never have individual communication with the officials. If Mr. Milner Gibson were to say to me, I think you had better see Sir Emerson Tennent, or you had better see Mr. Mallet, I should then send for either of them. But without a suggestion of that kind, I should conduct all my communications either by letter to the Board of Trade, or through Mr. Milner Gibson personally.

3066. Another suggestion has been made of not at all the same importance as this, upon which we should be glad of your opinion; that although there might be disadvantages in transferring the staff who had to deal with foreign trade from the Board of Trade to the Foreign Office, yet that there would be an advantage in the superintendence of the correspondence upon commercial questions with the Board of Trade being in the hands of one officer in the Foreign Office, in like manner as the slave trade correspondence is; what would be your idea with regard to that suggestion?—Without, as I said before, pronouncing finally upon it, it seems to me to be at all events a very valuable suggestion, and I should like very much to consider it, with a view to see whether an improvement could be made. I should be very glad to adopt it, if it should be found that it would make an improvement in the mode of conducting business.

3067. You are aware that we have the correspondence before us with regard to the Italian and Belgian Treaties. Upon looking through that correspondence, although I dare say we should understand if we were in the offices how

The Right Hon. Earl *Russell*, K.G.

28 June 1864.

it was, still we have been surprised that there should be so long a time in some cases before replies are made to letters from the Board of Trade. I will take, for instance, the draft Treaty, that was sent to you in the beginning of 1862. The Foreign Office appears almost to have been unaware of it, and to have sent to the Board of Trade a draft of a Treaty which was forwarded by Mr. West in 1863. We cannot help thinking, that if there had been an officer at the Foreign Office, whose business it was to superintend such correspondence, we should hardly have found that state of things?—I cannot, from my memory, precisely account for it; but I rather suppose that we got information from Turin, as has happened in other cases, that there was no chance of any project of a Treaty of Commerce with Italy being considered until the French Treaty had been negotiated, or until they had sent some person over here. They did send Signor Marliani over here soon afterwards. I will tell you presently what happened with regard to him. But upon getting the suggestion of Mr. West, I suppose I had forgotten that I had had previous communication. I dare say that was the reason.

3068. With regard to Signor Marliani, do you not think that there might have been an advantage in his being brought into personal communication with the gentlemen at the Board of Trade, who were well acquainted with the interests and with the wishes of the different commercial bodies, and whose business it is to be better acquainted with their interests and wishes than it is of any one at the Foreign Office?—Perhaps you will allow me to make an explanation, that may be rather long, upon that subject and others connected with it. I think the whole of that matter, and several others of the same kind, depended upon what was done with regard to the French Treaty. The general notion of a commercial treaty prevailing on the Continent, and which has generally prevailed, is, that it is a bargain; that is to say, that you give something and that you are to get something in return. The English Government, after the conclusion of the French Treaty, which I should be glad to explain hereafter, considered the matter very thoroughly, in my opinion. I have no doubt that Mr. Milner Gibson will recollect the circumstances. It was a question with us whether this Treaty should be taken as a Treaty with France only, and that everything stipulated in that Treaty should be given to France, and there we should stop, and bargain in the same way with other countries, or whether there should be, with regard to those articles, and with regard to several more, a complete sweeping away of the restrictions in certain cases, and a reduction of duties in others to other nations who had given us nothing. The Government, upon Imperial considerations, and in the Cabinet, upon the strong advice of Mr. Gladstone, came to the conclusion that the better way, and the way most for the interest of this country, was to give to other nations at once what we had given to France. That was proposed to Parliament, and adopted by Parliament. But the immediate consequence was, and it is a consequence which has affected all these different matters, that, as France did not adopt the same course, all those different powers with whom we treated, went to France for a bargain and did not come to us, or, if they came to us, they consented to treat with us only for further reductions; for instance, Signor Marliani said, We should be very glad to have a treaty with you, but we should like to have a great reduction in wines beyond what you have given by the French Treaty. That reduction should be very considerable, perhaps half the duty which is now payable upon French wines, and we should like to have a very great reduction upon all confectionery. The first thing I did without referring to the Board of Trade, because I thought I knew pretty well what would be done, was this, I asked the Chancellor of the Exchequer, Are you prepared to make a further reduction on wine? Are you prepared to reduce the duties upon confectionery? And Mr. Gladstone answered, "I cannot afford to make any further great reduction upon wine; it would not suit the purposes of the revenue, and, with regard to sugar, I cannot but see that a very great reduction of the duties upon confectionery would lead to fraud and evasion, and we should be, in fact, lowering the sugar duties; therefore, for the interest of the revenue, I can consent to neither of these reductions." Signor Marliani, for a long while, had said that he could not listen to anything until the French Treaty was settled. Then he told us that they would give us nothing beyond the terms of that treaty. He said, "You cannot expect that we should give you anything, when you give us nothing in return. The bargain ceases altogether. If we choose to change our duties, we can do it ourselves, but that we should stipulate to you to make concessions to you, when you make none to us, is absurd and out of the question." In the same way, a gentleman was sent by Count Rechberg, who is understood (and I believe rightly) to be very favourable in his opinion to greater relaxations of trade, but the gentlemen he sent here said, "We shall expect, of course, if we make great reductions in our duties upon English goods to have something in return. I propose to you this: for instance, you have a duty of 3 *s.* a lb. upon tobacco; give us 1 *s.*, let other nations pay 3 *s.* a lb., and let the Austrians pay 1 *s.*" Those are the sort of notions that people have with respect to making a bargain. They seem to me very soon to bring to a close negotiations of this kind. It is not very necessary when the opinion of the Chancellor of the Exchequer would be so clear, and when my opinion also would be so clear upon such a matter, to go to the Board of Trade and ask them, "Shall we make a differential duty of 3 *s.* a lb. upon all American and other tobacco, and 1 *s.* a lb. upon Austrian tobacco?"

3069. I suppose that the memorandum that was sent to the Board of Trade, containing Signor Marliani's and the Marquis d'Azeglio's suggestion to that effect, was sent to them merely as a matter of form, because it appears here as being sent to the Board of Trade for their opinion as to whether those duties should be lowered, and we find from the evidence, that they sent it on to the Treasury, and were a long time before they got an answer; I suppose you ascertained the answer from your colleague without waiting for the reply of the Board of Trade?—I have no doubt that it was sent as a matter of form; it did not take half an hour for me to settle it with Mr. Gladstone, I think.

3070. What is felt by commercial men is this: they are quite aware that the time for bargains has gone past, but they think that while any foreign

foreign country is making a bargain with France, for example, and completing its arrangements, if we had at both ends, so to speak, of our communication with foreign countries, a complete and absolute knowledge with regard to the details of English commerce, it would be possible to say to a foreign government, Let us know what you are doing, because we can give you information which will enable you to increase the trade between the two countries without injuring your own, without even in some cases hurting the prejudices of your manufacturers or exciting a protectionist feeling. Do you not think that there might be an advantage in the Board of Trade, who have this knowledge, being in immediate communication with our diplomatic body abroad, in order that they should be armed with the information at any opportunity, which might make it possible for them to make use of it?—I think it would be a great advantage if we could more completely than we do at present, put our Foreign Ministers in possession of information which they might use; I must confess that, generally speaking, I have been very much disappointed in the result. The President of the Board of Trade pointed out to me several articles upon which the trade between France and Italy would not suffer by an alteration of the arrangement, and that such an alteration would be a great advantage to us and no disadvantage to France or Italy; but I do not think we were ever very successful in urging those matters.

3071. From these papers we find that on February the 18th, 1862, the Board of Trade writes a letter to the Foreign Office, in which they express a fear that the alterations will be made with regard to France, before suggestions are made from England; and that then it will be too late for us to do anything. We have it from Mr. Mallet that when, at last, he went over to Turin, and pressed those suggestions, they had already made that arrangement with France, and, in fact, the arrangement had been already published to the manufacturers. We look back and find that when the suggestions were made, there is reason to believe that the arrangements between Italy and France had been concluded. Do you not think that it might have been of advantage that Sir James Hudson should have been aware of those suggestions at the very time the arrangement was making. I will give, as a proof of this, on May the 26th, 1862, you obtained from Paris the particulars of the treaty between France and Italy. This is not a very important question, but it is a matter of illustration. It appears that in that there was a new duty put upon linen; and the duty upon jute is marked in this list, "not yet determined." Sometime after that, suggestions are made by you, with regard to jute, would it not have been of advantage that at that time Sir James Hudson should have been informed of the English interests concerned in jute?—I do not exactly remember when the various communications took place; but my general impression is that, like some other nations, the Italians said, We have got certain advantages to acquire from France, and we must make our treaty with France before we listen to you. After that time, we shall be as liberal as possible with regard to you; but before that time we shall not go into any particulars.

3072. Your Lordship is perhaps aware that the duty upon linen continued the same as before in Italy, being a very low duty; and the Dundee jute manufacturers think that it was merely from the Italians not being aware of what jute was that they put a higher duty, in proportion, upon jute. It has come out in evidence that there is no jute interest to protect in Italy. Do you not think that it would have been an advantage that that department which received the facts with regard to this jute trade from Dundee, should have been able immediately to put our Minister at Turin in possession of those facts?—I do not quite know why they were not communicated.

The Right Hon. Earl *Russell*, K G.

28 June 1864.

3073. That brings me to the general question. A suggestion has been made that it would be to the interest of trade if the Board of Trade—inasmuch as it gets information from the diplomatic body abroad, through the Foreign Office, which it furnishes to the merchants, and as it also gives suggestions for your guidance, which you communicate to the diplomatic body—were put in immediate communication with the diplomatic body, so that the communication should not come at second hand, but should be direct and immediate. What is your opinion as to that?—It seems to me that it would be of great advantage (though I will not be quite sure as to that) if there was some person in the Foreign Office who collected from the different departments in the Foreign Office everything relating to trade, and who, when he carried that to the Board of Trade, should receive any new suggestion from them which they had recently received, and should bring back that as the information, or, it might be, the opinion of the Board of Trade to the Foreign Office; in that way there might be a greater facility of communication. But in regard to matters connected with political affairs, I must say that I think the officers at the Board of Trade would fail there; because, in fact, there is the closest connection in all foreign countries between the political and the commercial business which those countries carry on. There is a gentleman I see in this room who will bear witness to that. If you go Vienna, you will find that they are engaged, and very deeply engaged, in plans by which they might enter into the Zollverein, and become a part of that great body; that on the other hand, there is the greatest wish in Prussia that they should not enter into it; and that until that is decided between the two, which has taken some years, and may take some years to come, they will not listen to anything. That is the obstacle in the way, and a statement of that in very great detail was sent to the Board of Trade in the shape of information received from Mr. Morier, from Prussia, from Bavaria, and from Austria, with regard to all those matters. If you go to Spain again; I have always found for years in Spain that when there is a political struggle there, there is always a very determined and a very obstinate body, consisting of the deputies for Catalonia, and those deputies for Catalonia always say, Whatever else happens, if the Ministry are for free trade, we shall go against the Ministry; and if the Ministry has a small majority, that Ministry would be overturned. In the same manner with regard to other countries; there is hardly a country I know of in Europe in which there is not a great deal of political intrigue and political jealousy, and political party questions mixed up with the real questions of commerce; and if a commercial man, or an agent of the Board of Trade went to one of those countries without any knowledge of the circumstances,

The Right Hon. Earl *Russell*, G.

28 June 1864.

he would only be disappointed; a political agent would be informed that the attempt must fail.

3074. There appear to be two kinds of communication between the Board of Trade as representing the commercial interests, and the diplomatic body; in both cases it is now conducted entirely through your office; in the one case, the Board of Trade forwards the complaints or representations of commercial men upon matters of detail; and in the ther, they have to forward or receive the information by which they guide your office, or yourself, as Foreign Secretary, in the conduct of important commercial business; such, for instance, as the Italian Treaty. I will take, first, matters of detail. A suggestion has been made, that complaints with regard to the working of a treaty, for example, would be more quickly arranged if the Board of Trade, instead of referring the complainant to your department, or sending the representation in writing to your department, were permitted to forward that representation in writing themselves under flying seal through your department; what would be your opinion with regard to that?—I really do not see that that would make much difference. We should send, or we might easily send the letter to the Minister with a cover, or we might send a letter from the Board of Trade under flying seal.

3075. It has been supposed that a consul or a Minister abroad, feeling that he was in direct communication with the office which possessed the detailed knowledge upon the matter, would be able to arrange it more quickly. What do you think with regard to that?—I do not see how he would.

3076. With regard to a more important question, with reference to the correspondence that takes place in order that the Board of Trade should be able to give its full opinion upon a commercial question, do you think that there would be any disadvantage in the Board of Trade communicating direct, as, for instance, in the late Italian Treaty, with Sir James Hudson, under flying seal through your office, thereby enabling the Foreign Secretary to prevent any letter being sent out which in any way would clash with the political business of the office?—I do not know that I should see that there was any great evil in it; but I should not see that there was any great advantage, I think.

3077. It has been also stated before the Committee by one or two gentlemen possessing a good deal of knowledge upon the subject, that if the Board of Trade is to continue as the consulting body upon matters of trade, it would be of advantage if it was put in a higher position as compared with the other departments; if it was put more upon an equality with the Secretaryships of State, as the Ministry of Commerce is in France. Have you formed any opinion upon that subject?—I think that the Board of Trade is one of the most important departments of the State; I do not think that it is necessary that it should be under a Secretary of State.

3078. Occasionally, I suppose, when your Lordship has been in the Cabinet, the President of the Board of Trade has not been a member of the Cabinet?—He has been very often a Member of the Cabinet.

3079. Do you not think that the fact that it is possible that he should not be a member of the Cabinet, does in itself cause the department to be considered of less importance?—I think it desirable that he should be a member of the Cabinet.

3080. Do you think that there is any advantage in the Board of Trade being conducted as a Board, with a President and Vice President, as compared with a Secretaryship of State, with a Secretary and Under Secretary?—No, I do not know that there is any advantage in it; but I really cannot well tell, because I do not know the internal arrangements of the Board of Trade.

3081. Have you any suggestion to make to the Committee upon the subject of our reference?—I may say, that with regard to some of the explanations that have been made by the officers of the Board of Trade, I have read the evidence of Sir Emerson Tennent, and I thought it was very good and very able; but with regard to the French Treaty, it seemed to be considered that there had been some sort of negligence upon the part of the Government (either the Foreign Office or the Chancellor of the Exchequer) in having overlooked the Board of Trade. What happened was this: Lord Palmerston and I were not much in favour of the principle of treaties of commerce. At that time I had some communication with the Duc de Persigny, the French Ambassador, and some communication also with Mr. Cobden. The French Ambassador came to me, and asked me to bring before the Cabinet the question of having a treaty with France. It was done in a very intelligent manner, as one would expect from the Duc de Persigny; and I need not say that the Emperor of the French is a man of great knowledge and enlightened views upon these subjects. The Duc de Persigny said that if we could obtain a treaty of commerce between France and England, it would be of immense advantage to France. He said: "France is half ruined by the Protectionists and by the Monopolists, and it would be an immense gain to France to do away with the loss that is suffered now in consequence of the Monopolists. At the same time, seeing your advantages in regard to coal and iron, you need not be afraid of French competition. The Emperor wishes very much to have a treaty of commerce." I said: "Why cannot you reduce your own duties?" He said: "That is impossible; it cannot be done. The Protectionist party is very strong, and if the proposal was made to the Legislative Body, strong as the Emperor is, that proposal would be refused, and the project would fall to the ground; and therefore, the only way, if you wish to have a trade that should be beneficial to France and to England is to have a treaty of commerce." I spoke to Mr. Cobden upon the same subject; I need not repeat what he said as to what he considered would be the advantage of a treaty of commerce between the two countries. Then I carried the question to Lord Palmerston and to the Cabinet, and the Cabinet entirely approved of the proposal. Though we were not fond of treaties of commerce, we thought it would be of great advantage to both countries. The Chancellor of the Exchequer, after that, undertook the diminution of the duties, and the taking away of certain duties, and Mr. Cobden conducted, with that great knowledge and great ability which he possesses, and with the good will of the French Government, the treaty to a successful issue. But it does not follow from that that we ought to attempt to do similar things in other countries.

3082. I think

3082. I think that your Lordship's very interesting statement probably applies to a remark of Sir Emerson Tennent, that if the Board of Trade had been informed that the negotiation was going on in France before we had become committed to the reduction of particular duties, the Board of Trade would very likely have advised that the same attempt should have been made in Spain and Portugal, and that attempt might have been successful?—My opinion is that we should not have obtained the same advantage in Spain as in France.

3083. However, if I rightly understand it, it was not considered by the Cabinet whether it was advisable to do it or not?—It was considered, and it was considered advisable to adopt all the principles embodied in the French Treaty, with regard to other powers.

3084. It was not considered whether it would be advisable to open a negotiation with other countries before the Government had committed itself to the reduction?—Yes, and it was considered not advisable.

3085. Mr. *Cobden.*] Your Lordship does not, I think, very decidedly object to either plan which has been suggested for putting the commercial world in more immediate and direct contact with foreign governments upon any matters upon which they might wish to have their interests represented. You do not say that you have any deliberate objection against having an officer in the Foreign Office to take charge of commercial matters—something analagous to the clerk or secretary at the head of the Slave Trade Department, or allowing some one in the Board of Trade to correspond upon matters of detail directly with foreign missions?—With regard to the first, I have no objection to the principle at all. With regard to the second, I am afraid it would only produce confusion.

3086. I think you stated that in your communications with the Board of Trade, it was solely with the President of the Board of Trade that you communicate?—It is.

3087. Does not it sometimes happen, in the exigencies of political parties, that the President of the Board of Trade might possibly be a person who was not very authoritative on matters of commerce; in that case, according to the habit and custom of the Foreign Office, you would not be in communication with what I would call the commercial knowledge and experience of the Board of Trade by merely communicating personally with the President?—That might be the case; but the Presidents of the Board of Trade whom I remember, have been very able men. I consider that Mr. Powlett Thompson was a man remarkably enlightened with regard to all these questions, and Mr. Gladstone and Mr. Cardwell are certainly persons very well acquainted with those matters.

3088. But it is the permanent officials of each department who are the depositories of the knowledge and experience of the department, is it not?—No doubt that is the fact.

3089. In the case of a change such as has been recommended, of having a Department for Commerce in the Foreign Office, as is the case in the French Foreign Office, you would be enabled to manage a great many matters connected with the foreign commerce of the country without having to refer to the Board of Trade at all, would you not?—I am by no means certain of that. As I have already said, I should request permission to consider these matters very maturely after the Committee is over; but I must remind you that in France there is a Minister of Commerce as well as a Department for Commerce in the Foreign Office.

3090. Mr. *Kinnaird.*] I think I understand that your Lordship does not consider that any blame is attachable to either of the departments, with respect to the Italian and Belgium treaties; you do not consider that there was any neglect, or that any other means might have produced better results?—No, I do not think they could.

3091. You did not state any reason why you think Treaties of Commerce are not desirable?—The French you know took a course different from the course that we took, and I believe that our course is the wise one for the benefit of the country.

3092. Taking it to have been the Board of Trade which conducted the negotiations for the French Treaty, was that treaty when it was sent over from France in a complete and perfect state when it reached the Foreign Office, or had many alterations to be made it?—There were questions of importance; the minute questions were all considered at the Board of Trade, and there were two gentlemen who went to Paris and assisted Mr. Cobden and Lord Cowley in the negotiations.

3093. From the Foreign Office?—The one was from the Board of Trade and the other from the Custom House.

3094. It is almost necessary that those treaties should pass through the Foreign Office after all, is it not, before they could be complete and available between this country and foreign countries?—It was necessary that they should.

3095. And it would be generally necessary, would it not, supposing a matter was left to the Board of Trade to negotiate directly with our consular and diplomatic agents, that it should yet come for completion and perfection through the Foreign Office?—Yes, I think so, certainly.

3096. Mr. *Layard.*] When Signor Marliani was in England he was in communication with Mr. Milner Gibson as well as yourself, was he not?—Yes, certainly.

3097. He met Mr. Milner Gibson at the Foreign Office, did he not?—Yes, I think so; that is my recollection.

3098. Is not that probably the reason why there appears to have been a blank in the correspondence to which the Honourable Chairman alludes, namely, because you and Mr. Milner Gibson were in direct communication with Signor Marliani?—Certainly.

3099. I believe the Draft Treaty which the Board of Trade sent to the Foreign Office was not sent to Italy, because at that time Signor Marliani was in England?—That is my recollection, that we expected Signor Marliani to come to this country. I do not know that he came so immediately as I expected.

3100. I think we received the Draft Treaty at the Foreign Office in April, and Signor Marliani arrived in May within a few days; I am not certain of the dates?—That is probably correct.

3101. That Treaty was in the hands of Mr. Bergne, a very efficient officer of the Foreign Office, and who would have taken very good care that the thing should not be overlooked?—Certainly.

3102. *Chairman.*] May I ask your Lordship whether you thought it right to put before Signor Marliani

The Right Hon. Earl *Russell*, K.G.

28 June 1864.

Marliani the Draft Treaty that had been forwarded by the Board of Trade?—I do not remember that I did, but he began very soon saying that, until the French Treaty was completed, he would not negociate with us.

3103. Mr. *Layard.*] Whilst Signor Marliani was in England, the negociations were going on at Paris for the Franco-Italian Treaty, were they not?—Yes.

3104. And he gave, as the reason why he would not enter into any negociations with us, the fact of the French Treaty being still under negociation?—Yes.

3105. And he positively declined to have any negociations with us, and, ultimately, left the country because the treaty was not concluded?—Yes, he did refuse to negotiate.

3106. When the Belgian Treaty was negociated, Mr. Milner Gibson and yourself were in constant personal communication with M. Van de Weyer, were you not?—We were in constant communication together; M. Van de Weyer consulted with me about many subjects, and then I referred those questions to Mr. Milner Gibson, and Mr. Milner Gibson came to the Foreign Office, and we treated together upon important questions that referred to matters of trade.

3107. Therefore, these negociations being, to a great extent, carried on by personal intercourse, a good deal of correspondence was avoided, and, therefore, does not appear in the papers which have been laid before the Committee?—No doubt; and that, I consider, is the nature of the English Government; with regard to many things before they were reduced to anything like the shape of a treaty or articles of agreement, there was a great deal always of personal communication. M. Van de Weyer used to come to me at the Foreign Office sometimes, and sometimes he used to come to Richmond Park, which was on his way to London, instead of communicating directly to the Foreign Office, and he read to me what the proposals were on the part of the Government, the Minister of Commerce, and the Minister of Foreign Affairs, in Belgium, and a great many more matters of that kind. He read to me private letters from the Minister of Foreign Affairs, stating what they could agree to, and what they could not agree to. It is impossible that these things can be discussed except by personal communication, if you mean to succeed.

3108. The fact of these negociations being thus carried on would account for the want of that correspondence which the Committee has rather been induced to believe was owing to a want of attention on the part of the Foreign Office?—Yes, no doubt. With regard to Italy, for instance, I very frequently said, and I said it personally, when there was question of a union between Tuscany and Piedmont; Tuscany is a country where there is free trade, and where they are very liberal with regard to tariff; I hope when they have a union between Tuscany and Piedmont, they will adopt the free trade principles rather than protectionist principles, and that Tuscany will not lose by the change, and go back from the old laws made by Leopold, when he was Grand Duke of Tuscany. There are, of course, many of those things which pass in private communication which are not put down in writing.

3109. Was not it the fact that until the conclusion of the treaty of commerce between Belgium and France, the Belgium Government refused to negotiate with us?—Yes, that was the case; at the same time, I think there were other reasons likewise; we had a great deal of discussion about these matters.

3110. We considered it advisable not to open those nogotiations until the French treaty was on the point of being concluded, did we not?—Yes.

3111. At that time, did not the Belgian Government put forward the capitalization of the Scheldt dues as one of the conditions upon which they would negotiate a treaty of commerce with us?—Yes; the Belgian Government said at first that they would not treat with regard to a commercial treaty, or a change in the tariff, unless we would agree to give a compensation for the opening of the Scheldt and the taking away of certain duties; such as that for pilotage and other matters, and that we refused. We said we would not make any bargain of that kind; and then they said they would not treat at all, and that occasioned delay.

3112. Did we not consider that the putting forward of that demand was rather a violation of an implied promise which they had made to us?—Yes; we thought we were ill-used.

3113. With regard to the negotiations with Prussia, it has been stated before this Committee, that if Mr. Mallet had been sent to Berlin earlier, he would have obtained the same concessions that were given to France; has not the Prussian Government given us a distinct promise that we are to have the same treaty as they give to France?—I do not think we should have obtained anything by sending to Berlin earlier.

3114. They have promised us the same treaty, have they not?—They promised us the same treaty very positively over and over again; and they said they would not give us anything more than that.

3115. Therefore, we should have gained nothing by sending Mr. Mallet earlier?—I believe nothing. They gave a number of reasons, which I thought were very good reasons; they said they had very great difficulty in obtaining this Treaty with the Zollverein; that a great many of the German Powers were ready to agree to a Treaty with France, but that if they introduced a Treaty with England at the same time, it would only add to the difficulties, and they would fail.

3116. It has also been stated that, if we had sent Mr. Mallet to Turin earlier, we should have got a better Treaty with Italy; do you think that that is so?—No; I do not believe it would have been so at all.

3117. You have answered the question with regard to Spain. With regard to Portugal: have we not, for a very long time, been pressing upon the Portuguese Government to fulfil their promises with regard to the reduction of duties on the wine trade?—Over and over again. I may be allowed to say that if we merely wanted a case to show to Parliament, we might, once every month, propose things of that kind, and get a refusal. But the object ought to be to endeavour to push these questions when we are likely to be successful.

3118. Is not it frequently advisable not to push these questions, because, the doing so, raises suspicions in the minds of foreign Governments which make it difficult to obtain what one wants afterwards?—Yes.

3119. Is

3119. Is it not to have a refusal, which may embarrass negotiations hereafter?—Yes; I think it ought to be left to the Secretary of State to decide what should be the time at which a negotiation should be set on foot.

3120. Therefore, the political considerations should, after all, be first weighed, before matters of commerce are brought before a foreign Government?—Yes.

3121. I will read a question of Mr. Cobden's "After we had arranged our treaty" (that was the Treaty with France), "that when it was known that France was going to arrange Treaties with Belgium, with the Zollverein, with Italy, and probably elsewhere; do you remember the fact that an intimation was given to me by the French Government, that they would be most happy to have a representative of the British Government to co-operate with them, and to go side by side with them in all their negotiations"? Mr. Mallet's answer was, "I remember that circumstance. The question has been repeated several times, and answered in the same way. Was such a communication ever brought to your notice?—No, I do not remember it; there may have been some general expression, to the effect of their being very willing to see us when they were obtaining a treaty; but I do not remember any specific proposal of the kind.

3122. If any such communication were made to Mr. Cobden, you would naturally suppose that it was Mr. Cobden's duty to transmit it to the Government, would you not?—I should expect Mr. Cobden to inform the Foreign Office of that proposal.

3123. If there were a department at the Foreign Office for trade, if you took the information of that department and acted upon it, of course you would consider yourself responsible to Parliament?—I should think that I had a right to make a proposal to a foreign Government at the time when I thought it likely to succeed.

3124. *Chairman.*] With regard to one of the last questions, it was stated before this Committee by one or two mercantile gentlemen, that it was their impression that if the Government had requested Prussia, at the time when she was making her Tariff arrangements, preparatory to her Treaty with France, to inform our Minister at Berlin of what she was doing, it might have been possible to have given such information as would have enabled those arrangements to be made more for the interest of England than they actually were, which it was almost impossible to get done after they had been published to the Prussian manufacturers. Was that attempt made. Was our Minister at Berlin requested to ask the Prussian Government, as a matter of friendliness, to give us information as to how far they were altering their Tariff?—I think so; we repeated several times that we should like to know what they proposed, and I think they always said that they would not inform us.

3125. Mr. *Layard.*] Did we not send Mr. Ward to Berlin on purpose to obtain all the information possible?—Yes, we did send Mr. Ward there.

3126. Mr. *Pender.*] Mr. Hammond states in his evidence that the consuls are instructed to send home reports on the trade of the particular place that they represent. I find that there are 40 consuls who have not sent home reports for this last year, and out of the 40 something like 10 are at places which we are particularly interested in, simply from the fact that cotton is grown in those particular places. I may mention, for instance, Alexandria, Algiers, Borneo, the Feejee Islands—about which there has been a great deal of talk with respect to the growth of cotton—Hayti, Havannah, and Mexico. It would be very interesting to us to have such reports. I infer from their not being sent that it is a delinquency on the part of the consuls in not having sent them?—I think we gave orders that we should have reports as to cotton especially.

3127. I am quite aware of the interest your Lordship has taken in the cotton question, because I remember a letter addressed by you to the Manchester Chamber of Commerce about the time that the American war broke out, in which you drew the attention of the Chamber to what was likely to happen, and which was very highly appreciated by the Chamber. You then offered to place the Foreign Office as much as possible at the service of the Chamber, so as to get information for them; I draw your attention to this want of reports from the consuls at those different places, because I think it is clearly a departure from the instruction which must have been given at that particular time as to these reports?—It is certainly quite true that we wished to get reports from every part of the world from which we could receive cotton. I cannot say that what we wished to be done has been always done, but that is what we wished.

3128. Mr. *Layard.*] I think there is some mistake about this matter; these consular reports are reports upon trade, published and laid before Parliament; the reports upon cotton were sent to the Cotton Association, therefore you must not infer, that because these gentlemen have not sent reports upon trade, they have not sent reports upon cotton; probably, most of them have done so?—Yes.

3129. Mr. *Pender.*] Even admitting that they have sent cotton reports, that does not justify their having neglected to send trade reports; I am not aware that the cotton reports have been received?—I cannot give an answer without looking to all those details.

3130. Mr. *Layard.*] Many of those consuls might not have had any subject upon which to report, that may have been the reason why they have not sent any reports, may it not?—It may.

ROBERT B. D. MORIER, Esq., called in; and Examined.

3131. *Chairman.*] WHAT is your position in the diplomatic body?—I am second secretary at Berlin.

3132. For how long have you been there?—I have been at Berlin since 1858.

3133. You were in the diplomatic service before that time, I suppose?—Since September 1853.

3134. Where were you before you went to Berlin?—At Vienna.

3135. Our commercial relations with Prussia and the Zollverein have come a good deal under your notice during the time since you have been at Berlin, have they not?—Yes, especially within the last two years.

3136. Mr. *Layard.*] Your present appointment as second secretary is equivalent to what was formerly an attaché, is it not?—Yes, I was formerly first paid attaché.

R. B. D. Morier, Esq.

28 June 1864.

3137. We have converted the attachés into second secretaries, have we not?—Yes, second and third secretaries.

3138. During your connection with the diplomatic service, you have found that the Foreign Office was desirous of obtaining from you all the information you could give upon matters of trade, have you not?—Very much so.

3139. You have been in constant official communication with the Foreign Office, and in personal communication with myself upon matters of trade, have you not?—Yes, since December 1862.

3140. Did not the Foreign Office, I think, request you to proceed to Munich and Vienna, and make full reports to them upon the negotiations going on between the Zollverein and Austria?—Yes, the negotiations had come to a dead lock, and the Foreign Office was anxious to know what prospect there was of their either being resumed or of some practical result respecting the French Treaty being come to, independently of those negotiations. I was accordingly sent in December 1862, to Vienna, and from thence to Munich, to ascertain the exact state of the negotiations, the views of the Governments, and the prospects of arrangement.

3141. And you made very full reports upon the subject to the Foreign Office, did you not?—I made a full report upon the negotiation of the treaty between France and the Zollverein, and upon the negotiations that had taken place between Austria and Prussia upon the subject; and besides this report I wrote from Vienna and Munich, detailing my conversations not only with the Minister of Foreign Affairs, Count Rechberg, at Vienna, and with Baron Schrenk, the Minister for Foreign Affairs at Munich; but also with commercial people, with the heads of departments, and with other persons interested in the question.

3142. Therefore, there was at that time an anxious desire on the part of the Foreign Office to obtain every information as to what was going on in Germany, with regard to commercial changes?—Certainly.

3143. At that time had the negotiations between Prussia as the mandatory of the Zollverein, and France, commenced?—They were over; the French Treaty was signed in August 1862, and I only proceeded to Vienna and Munich in December 1862.

3144. Previously to that period, I believe, Mr. Ward was sent to Berlin?—Mr. Ward was sent to Berlin in the summer of 1861, whilst the negotiations were pending between the two Governments. The negotiations between Prussia acting on behalf of the Zollverein and France, fall into three distinct periods. The first period extended from January to April 1861, during which time unsuccessful attempts were made on the part of France to get certain general principles, such as the "nivellement des tarifs," the substitution by the Zollverein of "ad-valorem" for "specific duties, &c.," adopted. The second period extended from April 1861 to September 1861, when the attempt to act upon general principles was given up, and a mere system of bargaining was entered into between France and Prussia. The third period was between September 1861 and the 29th of March 1862, at which date the treaty was "paraphé" by the two Governments. This last period was likewise devoted to bargaining; larger concessions being obtained from Prussia. Mr. Ward was present during the middle period.

3145. That is to say, during the period when the bargaining process was going on?—Yes.

3146. Do you think that we could at any time have obtained better terms than we have now obtained from the Prussian Government, as regards our commercial relations with the Zollverein?—The Prussian Government most distinctly refused to negotiate with us simultaneously with their negotiations with France. Besides, a general dislike to negotiating two treaties at the same time, and to negotiating a treaty with one person who was bargaining, and another who had nothing to offer, they urged the specific objection that the Southern States of the Zollverein were endeavouring to induce them to negotiate a simultaneous treaty with Austria, a course which for obvious reasons they were determined not to adopt. They told us, however, (I should think this had been stated officially at the time; at any rate, having been on intimate terms with the persons who negotiated the treaty, I have had this assurance repeatedly given to me since), that when they were negotiating this treaty they arranged the tariff with a view to a generalisation of what they were to concede to France, to England, and to other nations, contemplating that we should be on a footing of equality; and that they were guided in these negotiations, not so much by the concessions which they hoped to get from France, as by the general reductions which they thought fit to make in their tariff, with a view to its generalisation.

3147. Therefore, in your opinion, it would not have signified at all in the negotiations, whether Mr. Mallet had been sent to Berlin sooner than he was?—Mr. Mallet was only sent in 1862; but during the time that advice could be given, and suggestions made, Mr. Ward was there; that is to say, during the middle period which I have described, between April and September; and, if I remember rightly, he was placed in direct communication with the Chambers of Commerce in England, and, therefore, as far as mere suggestions went, he was in a position to make those suggestions at the time when they might have been useful.

3148. Did not the Foreign Office place Mr. Ward in direct communication with the Board of Trade and the Chambers of Commerce?—Yes; they did so.

3149. Therefore, you think that if Mr. Mallet had gone earlier, nothing more would have come of it?—Of course, I cannot say whether Mr. Mallet would have obtained more than Mr. Ward did, but Mr. Ward was there with the power of making suggestions, and being a person well known and highly esteemed in Germany, and looked upon as a high authority on commercial matters, his chances of success, as far as such success depended on persuasion, appear to me to have been as good as those of any other persons, however well quailfied in other respects,

3150. Do you think that the Austrian Government would have been inclined to give any concessions to England in a commercial point of view?—Count Rechberg told me positively, when I saw him at the close of 1862, that it was impossible for him to enter into any negotiations, upon commercial matters, until the relations between Austria and the Zollverein were settled.

3151. Therefore your impression is, that it would have been useless for our Government to have attempted any negotiations before that time?

time?—Yes. In fact there was a distinct refusal, because I put the question point blank to Count Rechberg.

3152. The Prussian Government have now promised to give us the same Treaty that they give to France, have they not?—The Prussian Government promised at the time, and have renewed their promise since, to give us the same advantages they have accorded to France, as soon as the other States of the Zollverein have signed the treaty.

3153. At present, some of the States of the Zollverein have not adhered to the Treaty?—At present there are four; Hanover, Bavaria, Wurtemburg, and Hesse Darmstadt, which have not adhered to it; and until they have acceded to the Treaty it does not come into force, because it is not a Treaty between France and Prussia, but between France and the Zollverein.

3154. You are acquainted with many of the junior members of the diplomatic service; you have never found amongst them any unwillingness to investigate and study questions of trade, have you?—Certainly not; on the contrary, I think the feeling amongst those of us who wish to make a serious profession of diplomacy is to devote a considerable amount of attention to matters connected with trade.

3155. You have never found that the Foreign Office discouraged any such attempts?—No; I have found just the contrary. I have ever received the greatest encouragement on the part of the Foreign Office.

3156. Therefore, if there is an impression amongst the commercial gentlemen of this country that the Foreign Office discourages the study of questions of trade, that impression is altogether false?—I should say that such an impression was altogether false.

3157. *Chairman.*] You were not personally engaged, with regard to our commercial relations with the Prussian Government, before the negotiations had been concluded, if I understand rightly?—No, I was not.

3158. You gave it as your opinion that we could not have obtained better terms than those we have, namely, a promise of the most favoured-nation clause, by any further representations, did you not?—That is my opinion.

3159. If a memoir had been delivered to the Prussian Government to this effect, that understanding that they were making fresh tariff arrangements, and altering their duties on account of the projected treaty with France, it was considered desirable to inform them in what way the trade would be increased with this country; do you think they would have refused the consideration of such a memoir?—I have no reason to suppose that they would have refused it, but the person to furnish such a memoir was there, namely, Mr. Ward; he was in communication with the Chambers of Commerce in England; and, therefore, there was no reason why the wishes of the Chambers of Commerce in England should not have been made known directly to the negotiators.

3160. Do you know the extent to which he was in communication with the Chambers of Commerce?—No, that I cannot say.

3161. You are hardly prepared, I suppose, to give an answer as to whether Mr. Ward, with all his experience, with the disadvantage of living abroad, was or was not more likely to be able to represent at Berlin the exact wishes and state the exact facts, with regard to British commerce, than a gentleman like Mr. Mallet going out direct from England?—I am unable to answer that question. But there are two sides to it. A gentleman like Mr. Ward, well acquainted with the commercial relations of Germany, and having personal influence there, would have, in so far, advantages over a person merely acquainted with England.

3162. You do not wish, I suppose, to have it stated upon your authority, that you know that Mr. Ward did furnish the Prussian Government with such information upon British interests?—No; I only know that he was placed in communication with the Chambers of Commerce; but as to what wishes were expressed by them, and what he communicated to the Prussian Government, I know nothing.

3163. With regard to the general question, you have probably heard to-day that a suggestion has been made to this Committee that it would be of advantage if members of the diplomatic body, whom we have every reason to believe, like yourself, are exceedingly anxious to further the interests of trade, were enabled to be upon purely trade questions in direct communication with the Board of Trade; do you consider that there would be any disadvantage to your other duties if that were the case?—As a merely abstract proposition, I should undoubtedly be inclined to say, that direct communication, what I might call an organic connection between the feeders and the digesting apparatus, seems to me a very great desideratum. As regards my own personal experience, however, I can only say that having had the advantage of personal friendship with Mr. Layard for many years, and of personal acquaintance with Mr. Mallet, I never have had any sort of difficulty; I have been able to communicate directly both with Mr. Layard and with Mr. Mallet, and to get every information which I required. Therefore, practically speaking, that direct communication has existed in my own case.

3164. And you have found it of advantage?—Of the very greatest advantage, because in common with the other junior members of my profession, who have had no special commercial training, there is much elementary information which, in default of such direct and personal communications, I should have been unable to obtain elsewhere.

3165. Then, supposing you were removed from any risk of collision between the Board of Trade, to whom you are not directly responsible, and to the Foreign Office, to whom you are responsible, by knowing that the communications made to you from the Board of Trade came under flying seal through the Foreign Office, do you consider that it would be of advantage to you to have that direct communication?—Yes; I should say so, certainly. It would be merely having that officially which I have hitherto had privately.

3166. Mr. *Layard.*] You draw a distinction between official and private communications?—Yes. I cannot, of course, tell what system it is intended to introduce; I can only speak to the advantage of being in direct communication. I believe I have received from you all the information which the Foreign Office could give, and the technical information Mr. Mallet has given me.

3167. That private communication exists with all the diplomatic servants abroad, if they chose to keep it up, does it not?—I presume that it does.

3168. *Chairman.*]

R. B. D. Morier, Esq.

28 June 1864.

3168. *Chairman.*] You have been, owing to the accidental circumstance of your acquaintance with some of the staff of the Board of Trade, able to get into personal communication with them, and to obtain information, and to consult them upon matters affecting trade?—Yes, I have.

3169. And you think that, supposing, by accident, you were removed from possibility of that personal private communication, it would be of advantage to secure its continuance, by the knowledge that it would arrive to you under flying seal through the Foreign Office, thereby being prevented from clashing with your communication with the Foreign Office itself?—Such communications would, I presume, be addressed to heads of missions, and I had at present so inferior a post that I should not come personally to be affected by a change of system, but in the abstract it would seem to me a very desirable simplification of the present indirect mode of communication.

3170. Mr. *Kinnaird.*] I suppose, had you had any personal acquaintance with anybody in the Board of Trade, officially or otherwise, you would have felt yourself justified in getting the information from the Board of Trade?—Most undoubtedly I should.

3171. It was a happy accident that you had such personal acquaintance or communication, but you would have got the same assistance and information from the Board of Trade without it, would you not?—Possibly; but there is this difference, there are many questions which one would have no objection to ask of a friend, or of any person with whom one stood on some definite and recognised footing; but with which, either because they displayed one's ignorance, or because they were too much questions of detail, one would not like to trouble a stranger.

3172. You believe that there exists a thoroughly cordial feeling between both offices with the object of advancing the public service, do you not?—Most undoubtedly; there is that feeling upon all sides, as far as my experience goes.

LOUIS MALLET, Esq., called in; and further Examined.

L. Mallet, Esq.

3173. *Chairman.*] I WISH to ask you one or two questions in explanation of some answers that you made to Mr. Layard on your last examination, as compared with answers that were made by yourself, and Sir Emerson Tennent to me before, in relation to the reciprocity treaty which was concluded between British North America and the United States in 1853. You will remember that you stated at first that the Foreign Office was not consulted, with regard to that treaty. Then Mr. Layard asked you some questions, with regard to some correspondence which appeared to have taken place between the Foreign Office and the Board of Trade. Was the first letter between the offices upon that subject from the Foreign Office, or from the Board of Trade?—Since I was examined on Friday, I have had an opportunity of referring to the correspondence which took place between the Foreign Office and the Board of Trade upon that subject, as to which I had previously only spoken from memory; and I believe I am now able to give the Committee the exact facts, as respects that correspondence. The first communication, so far as I am informed, which was made by the Foreign Office to the Board of Trade on that subject, was on the 13th of October, 1852.

3174. Will you state, briefly, the purport of that letter?—That letter enclosed a Despatch from Mr. Crampton, at Washington, reporting a conversation with the President of the United States, on the subject of the proposed negotiation of a commercial treaty, that treaty not to be confined to the questions pending between the United States, and the North American Provinces, but to include, generally, all subjects affecting the commercial relations of the United Kingdom and the United States; and requesting from the Board of Trade a statement of the points which the Board of Trade thought ought to form the subject of the negotiation. That letter was dated the 13th of October, 1852.

3175. Was such a statement sent?—That statement appears not to have been sent.

3176. Mr. *Layard.*] That is to say, it was not sent by the Board of Trade?—It was not sent by the Board of Trade to the Foreign Office.

3177. *Chairman.*] Was it the case, that the next day another letter was received by the Board of Trade which may account for that statement not having been sent?—Yes; the next day another letter was received enclosing a despatch from Mr. Crampton, with a copy of a memorandum submitted by him to the President, stating the conditions on which Her Majesty's Government were prepared to treat. The first of those conditions was, reciprocal freedom of trade between the United States and the North American Provinces in all natural products. When I say "all natural products," there was a certain list of natural products; it was by no means all, but there was a schedule of the natural products which were to be made the subject of that arrangement. By natural products, I mean raw products, and unmanufactured articles. It was stated in the memorandum, that Her Majesty's Government would be prepared to agree to that arrangement.

3178. Was it the case, that this letter showed to you that the Government had committed themselves to the principle of the proposed arrangement between the Canadian Government and the United States?—The construction which I should place upon that memorandum was, that Her Majesty's Minister at Washington had been authorised to communicate to the President of the United States the readiness of the British Government to conclude a treaty, including, as one of its conditions, the condition which I have mentioned to the Committee.

3179. When was the next letter?—The next letter was from the Foreign Office; I should say that the letter I have just been speaking of was not answered by the Board of Trade.

3180. Would you suppose that it was not answered because it appeared to state a conclusion that the Government had come to?—I am not prepared to state. I have no recollection of the facts; and I am not prepared to state the grounds upon which that statement was not sent to the Foreign Office.

3181. When was the next letter received?—The next letter was from the Foreign Office to the Board of Trade, of the 28th March 1853; that letter enclosed a correspondence with Mr. Crampton, showing, that on the 15th of January 1853, without consulting the Board of Trade, Mr. Crampton had been authorised to sign a treaty,

treaty, the draft of which had been prepared at Washington, by Mr. Crampton, with some slight modifications. The opinion of the Board of Trade was then asked in this letter in consequence of the refusal of the United States Government to agree to the proposed draft. I should state that this draft was confined to the pending questions between the United States and the North American Provinces, and as far as my recollection goes, did not include Imperial questions.

3182. Am I to understand from you, that up to that time the communications which you had received from the Foreign Office showed that they proposed, or rather, that the Government proposed, to conclude a treaty with the United States, without giving an opportunity to the Board of Trade to arrest such conclusion, but that an opportunity was given to you, upon the United States having refused to accede to the draft of the treaty which had been submitted to them?—An opportunity appears to have been given to the Board of Trade to express an opinion upon the subject, on the 13th of October 1852. But it appears also, that previously to that date, as far as regards the principle to which I more especially adverted in my evidence, namely, the principle of the reciprocal free admission of certain products between the United States and the North American Provinces, an intimation had been given by the British Government to the American Government, that they were prepared to concede the point. Consequently, the British Government appears to me to have been committed to accept that principle before the opinion of the Board of Trade had been taken upon it.

3183. Was the reply which you sent to this letter, asking your opinion upon the question because the United States Government had refused the draft treaty which had been laid before them, that letter to which Mr. Layard alluded in his question to you at your last examination?—The reply of the Board of Trade to the letter from the Foreign Office to which I have just adverted, is the letter to which Mr. Layard called my attention on the occasion of my last evidence, and is dated the 20th of April 1853.

3184. What was the purport of that letter?—That letter examines at great length the position of the negotiation, as represented in the correspondence submitted by the Foreign Office to the Board of Trade. It condemns the project which had been submitted to the United States on account of the unequal character of the advantages which would be derived by the two countries contracting. It advises the rejection of the United States proposals, as being "such as my Lords cannot entertain upon any grounds of advantage to the commercial interests of the British Empire," and it throws out a suggestion that the treaty should be extended, so as to include several Imperial questions, in order to restore the balance which appeared to them to be unequal, if confined solely to the questions between the North American Provinces and the United States. That is the general character of the letter.

3185. After that, there was some correspondence between the offices, which resulted, did it not, in the Foreign Office sending out instructions to America in accordance with the view of the Board of Trade?—Subsequently a letter was sent to us from the Foreign Office, enclosing a note which Mr. Crampton had addressed to the President of the United States, based upon the views contained in the letter of the Board of Trade; and on the 22nd of September 1853, the Foreign Office sent to the Board of Trade a second draft treaty, which was in point of fact a counter-project proposed by Mr. Marcy, then the United States Minister, on the part of the United States for the opinion of the Board of Trade. That was on the 22d of September 1853. The Board of Trade answered the letter from the Foreign Office on the 18th of November 1853. They state, that after consideration "It does not appear to my Lords that the counter-project is such as (viewed commercially) they can advise Her Majesty's Government to adopt." They suggest that the question of "reciprocal free trade in natural products should be dealt with by legislation in the United States and the British North American Colonies on a mutual understanding, and not by treaty." That suggestion was possibly made under the idea that the British Government would have an opportunity of so far controlling the legislatures of the Colonies as to avoid a differential character being adopted in their tariffs.

3186. What was the next communication that you received?—The next communication was from the Foreign Office to the Board of Trade on the 8th of December 1853, enclosing a letter from the Colonial Office, expressing the readiness of the Colonial Minister to act upon the suggestion of the Board of Trade, and expressing his opinion that the Colonies would be prepared to legislate in that sense upon the understanding that the United States would legislate in a similar sense.

3187. When was the next letter?—The next letter that bears upon the subject is on the 13th of January 1854, in which the Foreign Office sends a draft instruction to Mr. Crampton, stating that under the circumstances of the case it would be "fruitless to continue the negotiations on their present footing, and with the little chance of success which they hold out of coming to a satisfactory conclusion." The Board of Trade replies to the Foreign Office on the 16th of January 1854, concurring generally in the instruction; and on the 27th of September 1854, eight months afterwards, no communication having been made in the meantime, so far as I am informed, the Foreign Office sends to the Board of Trade six copies of a printed treaty signed on the 5th of June and ratified on the 9th of September 1854.

3188. Was it the case, that finally you received information that the treaty had been concluded upon a principle entirely contrary to that which the Board of Trade had represented to the Foreign Office as being the right one?—I can hardly state the thing so broadly as that. I think that the treaty ultimately concluded was decidedly inconsistent with the opinions of the Board of Trade as to what the treaty should be. Without saying whether the opinions of the Board of Trade were right or wrong, according to the views expressed in this correspondence by the Board of Trade, that treaty was not in accordance with the opinions of the Board of Trade.

3189. Mr. Layard asked you this question on your last examination, "You are not, therefore, aware that Lord Elgin negotiated the treaty entirely upon the basis furnished to the Foreign

L. Mallet, Esq.

28 June 1864.

Office by the Board of Trade?" to which your reply was, "I was not aware of that fact certainly." Now, having consulted the correspondence, I wish to ask you the question, whether you do not find that that treaty was not negotiated upon any such basis?—I think Lord Elgin may very likely have concluded that treaty upon some of the suggestions of the Board of Trade upon points of minor detail, as to including in the Schedule one or two articles upon which there had been some discussion; but it appears to me impossible that Lord Elgin could have negotiated that treaty upon a general view of the opinions of the Board of Trade, because upon two very broad points of principle that treaty was concluded upon principles which the Board of Trade had certainly not recommended. The first and most important principle was the establishment of a differential system in the British North American Provinces, and that was one as to which the Board of Trade had expressed to the Colonial Office, so far back as 1848, when the question was first mooted, the most distinct and emphatic objection to its introduction into the colonial tariffs; and it was suggested, in a letter from the Board of Trade, that Lord Elgin should be cautioned and warned to endeavour, in every way, to prevent the introduction of that principle into the tariffs. If that letter had been in Lord Elgin's hands at the time of the negotiation of the treaty (of course it is possible that it was), it cannot be said that he concluded the treaty in accordance with the opinions of the Board of Trade so expressed. The second point of principle was in reference to the unequal nature of the reciprocal concessions with respect to the fishery question.

3190. Was not it the case that the long letter to which Mr. Layard alluded in your last examination contained opinions and arguments from the Board of Trade quite contrary to the principle upon which the treaty was concluded; and that, therefore, that letter shows that the treaty was not concluded upon the basis furnished by the Board of Trade?—That letter certainly proposed a basis very different from that ultimately adopted in the treaty as it was finally concluded.

3191. Then am I to understand from you that the first replies made by Sir Emerson Tennent and yourself, without having gone back to consult the documents of the office, were incorrect to this extent: that it is true that there had been a correspondence between the two offices upon the question of a treaty, but when you come to look into the nature of that correspondence, you find that it was to this effect: that the Board of Trade was consulted, and gave its opinion, and that finally the Treaty was concluded upon a different basis, so far as principle was concerned, from that which was recommended by the Board of Trade, and that the Board of Trade were never informed of the reasons why it was so concluded, nor was an opportunity given to them to consider such reasons, or to express an opinion upon them?—That is very much the character of the transaction. The statement made by Sir Emerson Tennent and myself was literally correct, with regard to the Treaty actually concluded; and I think, looking at the whole correspondence, it may be said to have been substantially correct, upon the subject of the treaty, although it was incorrect so far as it led the Committee to think that no correspondence had passed between the departments relating to the subject.

3192. Mr. *Layard.*] You do not adhere to this answer: "The Board was not consulted with regard to that treaty, until the whole of the principles and details had been settled"?—I think that answer is given too generally and broadly; I cannot say that it is strictly accurate.

3193. You stated that you did not answer the letters from the Foreign Office for two or three months sometimes, because you inferred that arrangements had been made which could not be overridden?—I did not make any such statement; I think I stated that I could not give any opinion as to the reason why the Board of Trade did not answer the letters.

3194. You did not read to the Committee the letter from the Foreign Office to the Board of Trade of the 28th March 1853. I will read it: "With reference to Mr. Addington's letter of the 13th October last, requesting that the Board of Trade would prepare a statement of the points which it might be desirable that Mr. Crampton should submit for the consideration of the United States Government in regard to a new commercial convention between Great Britain and the United States, I am directed by the Earl of Clarendon to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that in the absence of the statement of the question, which has not yet been received at this office, Mr. Crampton was instructed to agree to a project of a convention proposed on the part of the United States, and sanctioned, with certain reservations, by Her Majesty's Government. The Government of the United States, however, decline to admit these reservations, and the matter remains accordingly at this moment in nearly the same position as before this project of convention was submitted by the United States Government for the consideration of Great Britain. I enclose herewith copies of papers relating to this subject; and as a change of Government has intervened in the United States, and as the question will probably be again brought forward by the new President, Lord Clarendon is desirous of obtaining a joint opinion from the Board of Trade and from the Colonial Office, upon the course which it may be desirable for Her Majesty's Government to adopt in this matter. I am accordingly to request that you will move the Lords of Committee of Privy Council for Trade to consult upon this subject with the Secretary of State for the Colonies, and to favour Lord Clarendon with their opinion upon the whole question." After having read that letter, I ask you upon what grounds can it be asserted that the Board of Trade thought that we were committed, and that it was of no use giving an opinion; is it not stated in this draft that the whole question was at an end, and that we wanted from the Board of Trade their opinion upon what should be done?—No doubt. I think my remark as to the degree to which the British Government was committed in that particular case merely applied to one point in the negotiation which was under consideration. It had merely reference to that one point of principle in the memorandum; of course there was no positive obligation whatever. All that my remark tended to show was, that a distinct opinion had been given to a foreign Government, upon a question of principle, without the Board of Trade having been consulted upon it, in a matter affecting trade; and I think that that affords

affords a strong illustration of the working of the present system, that there should have been this delay. I think that if there had been a commercial department at the Foreign Office first of all, the statement asked for by the Foreign Office in November could hardly have been withheld so long; and, on the other hand, if the Board of Trade had been directly responsible, they could hardly have avoided giving a statement upon a question of that kind. Certainly the instruction which was sent would not have been sent on the 13th of January without some correspondence and communication with the commercial department either in the Foreign Office or elsewhere.

3195. You will not now say that the Foreign Office failed to consult the Board of Trade upon those negotiations?—Not at that stage.

3196. Does not this draft, which I have read, say that the whole question was at an end, and was to begin *de novo*?—No doubt; and at that part of the negotiation the thing stood perfectly right. The Board of Trade had an opportunity, of which it availed itself, of expressing its opinion at great length, and instructions were sent to Washington in accordance with those views, but the United States Government had objections to that project, which was not finally adopted, and that was not the treaty to which Sir Emerson Tennent and I referred in giving our evidence.

3197. Was not Lord Elgin furnished with all the correspondence which had passed between the Board of Trade, the Colonial Office, and the Foreign Office, and was not he instructed to conclude a treaty upon the best terms he could on his passage through Washington?—I am quite unacquainted with the instructions given to Lord Elgin. From the time of the letter written by the Board of Trade in 1848—(I do not know what became of it)—I only know that the action of the Board of Trade was quite abortive.

3198. In dealing with a foreign nation, we may put forward a basis for negotiation, but that foreign nation may not accept it?—No doubt.

3199. Therefore, you cannot condemn the Foreign Office for not having concluded a treaty upon the basis furnished by the Board of Trade, supposing that a foreign Government refused to accept those conditions?—Certainly not, nor did I intend to condemn the Foreign Office; I only wanted to illustrate the inconvenience of the present system. The Board of Trade was, probably, quite as much to blame in the matter as the Foreign Office.

3200. In what is the Foreign Office to blame in this case. The Foreign Office referred to you the moment they received information from Mr. Crampton; you delayed giving any answer, whereas the Colonial Office gave an immediate answer; and upon that answer, not hearing anything from the Board of Trade for several months, the Foreign Office instructed Mr. Crampton to proceed with the negotiation. Afterwards, Mr. Crampton writes home to say that the thing is at an end; and then they again write to the Board of Trade to say that the thing is at an end, and that there is still an opportunity of putting forward proposals, and only then do you send your statement to the Foreign Office. How can you say that the Foreign Office was to blame in that case?—I did not say that the Foreign Office was to blame. All this had reference to a negotiation which was ultimately abandoned. The treaty ultimately signed was not submitted to the Board of Trade at all, nor were we ever informed of the grounds upon which the negotiation was resumed, and finally brought to a conclusion in 1854.

3201. After a treaty is concluded, is it usual to submit that treaty to the Board of Trade for their opinion upon it?—No; but we were informed, upon the 13th of January 1854, that all those negotiations were at an end, and that there was no prospect of any treaty being concluded with the United States; and we heard nothing more until the treaty was sent to us, signed, sealed, and delivered. I think there might have been some communication to the Board of Trade of the grounds upon which the negotiation was resumed.

3202. Did not that arise from the accidental fact of our giving to Lord Elgin, the Governor of Canada, as he was passing through Washington, *carte blanche* powers to conclude a treaty if he found an opportunity of doing so?—That I cannot say.

3203. Mr. *Somerset Beaumont.*] When was the treaty which was finally concluded signed?—It was signed on the 5th of June, and ratified on the 9th of September 1854.

3204. That was five or six months after the communication to you to which you have just referred?—Eight months.

3205. *Chairman.*] I understand you to say that you were never informed of the reason why the Government found it impossible or difficult to take your basis of the treaty, and you were never asked to consider the reasons upon which they were inclined to accept the basis offered by the American Government?—We received no information whatever as to the new basis, which was adopted after the abandonment of the negotiation in the early part of 1854.

Veneris, 1° *die Julii*, 1864.

MEMBERS PRESENT.

Mr. Bazley.	Mr. Wm. Edwd. Forster.
Mr. Somerset Beaumont.	Mr. Milner Gibson.
Mr. Butler-Johnstone.	Mr. Kinnaird.
Mr. Cobden.	Mr. Layard.
Sir Minto Farquhar.	Sir Stafford Northcote.
Mr. Seymour Fitzgerald.	Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

The Right Hon. the Earl of MALMESBURY, G.C.B., attending by permission of the House of Lords; Examined.

Right Hon. The Earl of *Malmesbury*, G.C.B.

1 July 1864.

3206. *Chairman.*] FOR how long has your Lordship been Foreign Secretary?—Two years, at two different periods.

3207. I suppose you are aware that this Committee has been appointed to inquire into the arrangements between the Foreign Office and the Board of Trade, in relation to trade with foreign countries, in consequence of a dissatisfaction amongst the mercantile community with regard to the present working of that arrangement?—I am.

3208. Two or three suggestions have been made to the Committee during the course of their inquiries, upon which we shall be very glad of the opinion of your Lordship. The first is, that commercial men, thinking that there is delay, and that there may be inefficiency in the necessity of two offices having to work together upon matters of foreign trade, suggest that it would be an advantage to have the staff of permanent officials, who are in the Board of Trade at present, and conduct the foreign commercial business there, transferred to the Foreign Office; the suggestion being simply this, that there should be a commercial department in the Foreign Office, which should give information to that office, taking away the necessity of their having to consult the Board of Trade; what opinion would you have with regard to that suggestion?—If I rightly understand it, the objection to the present system is, the delay that takes place by transmitting the despatches from one office to the other.

3209. There are two objections made: one is, that of necessity two offices having to conduct the business must cause delay; and another, and still more important objection is, that the present arrangement being that the Foreign Office has to consult the Board of Trade upon commercial negotiations, and take their opinion, the Board of Trade is not able to enforce that opinion, and, consequently, there may be inefficiency from one office getting the information, and having to give the advice, and the other office having simply to conduct the negotiation; and that the result of the information at home being obtained by the Board of Trade, and brought to bear upon the Foreign Office, which conducts the negotiations abroad, is, that that information with regard to the wants of our mercantile men does not reach the Foreign Office with the force and fulness that it ought to do; therefore some of the mercantile gentlemen suggest that the Foreign Office should be self-sufficing, as it were, and that they should be able to communicate direct with it, and that it should be obliged to form its own opinion, and to act upon its own advice. In order to do this, they suggest that there should be a commercial department in the Foreign Office?—I have not considered that proposition; but it appears to me, at first sight, that you would not gain much by there being a branch, as it were, of the Board of Trade established at the Foreign Office. I do not think that that would assist in bringing about your object. I think that much time might be spared in another way. At present, or at least when I was Foreign Secretary (I believe you have had evidence to that effect), despatches on arriving are sent to the Under Secretary of State, and he looks them over. Of course that takes some time. Having looked them over, he forwards them to the Secretary of State, and he has to read them, mixed up as they are with a great many other subjects, which must attract his attention at the time. Having read them, the Secretary of State sends them back again to the Foreign Office, where some time is spent again in copying them. I believe sometimes they were copied in my time, and sometimes extracts were made, and sometimes, I believe, but not always, the original despatches were sent to the Board of Trade. All that process took at least three or four days, I believe. I think that time might be spared. What I would suggest to prevent delay, and it is to delay only that I am now referring, would be that the consuls abroad should be instructed to divide their despatches into two categories, and that they should docket the despatches containing commercial intelligence, or referring to trading and commercial questions, "Commercial," and that they should docket the political despatches, "Political." The Under Secretary of State, therefore, when he opened the bag, at least when he received the despatches, would at once see the two categories and divide them, and send the political despatches on to the Secretary of State, and the commercial despatches across to the Board of Trade, for their observations, suggestions, and arguments, whatever they might be. Then, the Board of Trade should return those despatches so observed upon to the Secretary of State, who would then have the advantage of understanding their contents a great deal better

than he does now; because now he begins by reading a despatch upon a subject which he is not acquainted with, and he has then to refer to the Board of Trade for explanation and advice. In that way, I think, you would save time; but I do not myself see how you are to gain anything by merely having a department of clerks under one roof instead of another.

3210. Your Lordship's reply is very much in accordance with another suggestion which has been made to this Committee by several of the witnesses whom we have examined, that the present arrangement should remain as it is, the Foreign Office still consulting the Board of Trade, but that the Board of Trade should be put into communication direct with the diplomatic body abroad in somewhat the same way as your Lordship suggests; but I suppose that you would mean this communication to be not with the consuls only, but also with the ministers abroad?—Certainly.

3211. An objection has been made to that suggestion that there would be a danger of a collision of instructions from a communication being made by two departments to the same officer, and that there would be a greater possibility of evil in that communication, from the fact that the diplomatic body would of course still remain solely appointed by, and responsible to, the Foreign Office, and that they might feel themselves in a difficulty from having communications addressed to them by another department. To meet that difficulty, it has been suggested that all the communications made by the Board of Trade to the diplomatic body, and all the letters that are received from them to be sent to the Board of Trade should be sent under flying seal to the Foreign Office. Do you think that the fact of there being that arrangement, that the communications should be under flying seal, would remove the danger of such collision?—I think that what I suggested is much the same as the flying seal. On the outside of the despatch it would be docketed "Commercial," and that despatch would go straight to the Board of Trade, and the Board of Trade would then take the initiative, if I may use the word, upon the contents of that despatch. But I think it is essential that the Board of Trade should not have the power of taking action without the consent of the Secretary of State for Foreign Affairs, because policy may be intimately connected with any proposition made by the Board of Trade. It may be very desirable to make a treaty under certain circumstances, but a particular time may not be suitable politically, and therefore I do not think that the Board of Trade should have any independent power of action, though it ought to have more independent power than it has now as regards advice upon details.

3212. To return to the first suggestion that I asked your Lordship's opinion upon, namely, the transfer of the permanent officials of the Board of Trade to the Foreign Office: it has been stated, as an objection to that suggestion, that it would be necessary for the Foreign Office, even if they had a commercial department regarding foreign trade, still to consult the Board of Trade, because of the intimate connection of foreign trade with domestic trade; and, therefore, though they might have a commercial department at the Foreign Office, it would not remove the necessity of consulting the Board of Trade. Is it your opinion that that would be the case?—I think so.

3213. Then, again, another suggestion has been made, that if the Board of Trade is to remain the department which is to give advice to the Foreign Office, and also to other departments upon all trade questions, it ought to be made rather a more powerful department, and to be placed more upon an equality with the great departments, so that its advice would be more likely to be regarded and followed, unless there was some special reason to the contrary. That suggestion really tends towards this change, that instead of the Board of Trade we should have a department more like the Ministry of Commerce upon the Continent; have you any opinion with regard to that?—I should have no objection to changing the name, and, perhaps, the change of name would give the office more importance than it has now, but I do not see how it would make any difference in its practical working.

3214. For example, we find that in one or two cases the President of the Board of Trade has not been a member of the Cabinet. If it was made a department, like the Foreign Office or the Home Office, it would be almost impossible that the head of it should not be a member of the Cabinet, would it not?—I think it is a great advantage that he should be a member of the Cabinet.

3215. If it was made a department like the Foreign Office or the Home Office, would there not also be this advantage, that the Vice-President of the Board of Trade, being replaced by an Under Secretary of State, would have more definite duties?—Yes, I suppose that would be the case.

3216. Another suggestion has been made, not of so much importance as either of those which I have mentioned to your Lordship, but one upon which the Committee would be glad to have your opinion; that is, that even supposing it was thought unadvisable to have a commercial department in the Foreign Office, yet it might be advisable that there should be a special clerk appointed to superintend the correspondence upon commercial matters with the Board of Trade, in like manner as there is a special clerk in the Foreign Office for the slave trade business, instead of leaving the commercial questions to be conducted according to the geographical divisions in the Foreign Office; have you any opinion with regard to that?—I think that that might be an advantage, because at this moment certainly the despatches in reference to commerce and in reference to politics are very much mixed up, the only arrangement being, as you say, geographical.

3217. Have you any further suggestion to make to the Committee?—I have none, but that which I have just mentioned, which I think would have the effect of saving time.

3218. Mr. *Butler-Johnstone.*] Do you think that the two departments, the Board of Trade as well as the Foreign Office, communicating with our diplomatic agents and consuls abroad, would constitute an insuperable objection to that plan?—Yes, I should not advise their having separate and independent communications. I think it would create confusion and not further advance the public business or the work of either department; what I mean is, that I think the Foreign Office ought to be responsible for the carrying out of a treaty, but that it should not have to work out the details of that treaty; it should be responsible, in fact, for taking the initiative as to the time at which a treaty should be made, and

Right Hon. The Earl of *Malmesbury*, G.C.B.

1 July 1864.

the political bearing of the negotiation which might take place with reference to that treaty; but all the technical part, all the body and pith of the treaty, as far as commerce is concerned, should be, I think, managed by the Department of Trade and not by the Foreign office.

3219. Might not the details of that negotiation be carried on by correspondence between the Board of Trade and the consuls and diplomatic agents abroad; for instance, might not the correspondence with reference to those despatches which you propose to have docketed as commercial be conducted by the Board of Trade directly?—I think they ought to be forwarded through the Foreign Office, so that the Foreign Office may know what is going on, otherwise I do not see how the Secretary of State is to form an opinion himself.

3220. Supposing they were sent through the Foreign Office, you would see no objection to the correspondence being conducted by the Board of Trade in reference to those despatches which are to be docketed as commercial?—No, I do not.

3221. Mr. *Layard.*] Do you think that there would be no difficulty in dividing the commercial from the political despatches?—I should think not; it would be the consul's business to do so: but I have often thought that they mix up the two to a great extent; it depends, as you are aware, of course, very much upon the ability of the man who writes.

3222. You refer in that answer to consuls and not to diplomatic agents, do you not?—Diplomatic agents of the higher class ought to have less difficulty than the consuls.

3223. For instance, supposing a negotiation was going on in regard to a treaty of commerce in which considerable political interests were involved, there would be some difficulty in dividing the two, would there not?—My idea was this, that you keep the whole question in the hands of the Foreign Secretary; if he sees any political reason for postponing the treaty or for suggesting any remarks upon the treaty, he at once does so. I do not think there would be any difficulty in it; in fact, it would, I think, relieve the Secretary of State of business which generally, or at any rate very often, he would not be very conversant with. If he was to allow all the technical part of it, if I may call it so, to be carried on, and argued, and worked out by the Board of Trade; when that was done, he would be able to review it, and see at once whether there were any political reasons which would make it his duty to object to what had taken place, or what was recommended.

3224. Your Lordship's suggestion rather refers, I suppose, to commercial reports or any statements of matters of fact relating to changes in tariffs or regulations affecting navigation, than to questions of policy, which are bound up with questions of trade?—I was not speaking of policy at all; but of commercial matters only.

3225. You referred to purely commercial reports?—Yes.

3226. Are you aware that some of the consuls now make a distinction between their commercial and political reports, and that the reports are docketed accordingly at present?—At the time I was in office, they were mixed up very much.

3227. Then, your Lordship is not aware that now they are kept distinct?—No.

3228. I presume the Under Secretary, who is to go through the process you have described, would exercise his own judgment whether he would send a despatch on to the Secretary of State, or deal with it at once?—In my time there was a note made; the despatches used to be sent to me by the Under Secretaries, and almost all of them went through my hands, and I may add that a good many of them did no more than that. What I wanted to convey was that that roundabout way of sending a despatch before it reached the Board of Trade seemed to me to be unnecessary. I think the despatches had better reach the Secretary of State's hands after they have been to the Board of Trade, rather than before.

3229. The present way in which I manage, with Mr. Hammond, the business of the office is this: I always begin my work at nine o'clock in the morning; I get my despatches soon after nine; they always go from me before ten to Lord Russell; they come back from Lord Russell at one, and the whole business is done before two or three in the afternoon; I mean when Lord Russell is at Pembroke Lodge, or in London; when he is in the country or in Scotland it is different, of course; you do not think there is any delay there, I presume?—No; that is very rapid. It must depend upon the quantity of the despatches and their contents, if you get through them as quickly as that.

3230. Are you aware of the objections which Mr. Hammond has raised to having a separate commercial department in the Foreign Office, like the Slave Trade Department?—I do not know what his objections have been.

3231. Mr. Hammond's objection to having a commercial department upon the same footing as the Slave Trade Department is that, in his opinion, the Slave Trade Department has a good deal interfered with the discipline of the office, and that it is looked upon as a department which precludes those who are in it from having a general knowledge of the business of the office?—I never looked upon the Slave Trade Department in that light, and I had no idea that it was so looked upon. I should not certainly have consented to send any gentleman there as an inferior position, because I think there is a great deal to be learned in that department. There is as much international law to be learned in the Slave Trade Department as in any in the office. I am not sure that there is not more, and, therefore, I think it is a very great mistake, if there is such an idea existing, which I did not know before. I am surprised that it should be supposed to be a lower department than the others, because it is a department where there is a great deal of argument sometimes, as you know, used in the despatches, and, as I have said, a good deal of international law.

3232. Then you do not see any objection to the Slave Trade Department in the Foreign Office?—None, whatever.

3233. Mr. Hammond's opinion is, that the Slave Trade Department had better not have been established?—My opinion is that the Slave Trade Department is a very good nursery, and that there is a great deal to be learned in it, both in the way of stating an argument, and learning international law.

3234. If there was a question of international law raised in the Slave Trade Department, the question would be referred to the law officers of the Crown, would it not; it would not depend upon the decision of any gentleman in the department?

ment?—No; but it would be teaching the man through whose hands it passed, what international law was in its general bearings.

3235. Supposing a question of international law had been raised in any other department, it would have been treated in the same way, would it not?—Yes; but I understood that Mr. Hammond considered that department as inferior in its nature to the others; that is not my opinion.

3236. The only difference, I presume, would have been that, supposing there had been no Slave Trade Department, the business connected with the slave trade would have been disseminated amongst the different departments, instead of being concentrated in one?—Yes; I think there is an advantage in its being concentrated in one.

3237. Mr. *Cobden.*] I understand your Lordship not to object to having a clerk or clerks in the Foreign Office, who should give their attention particularly to commercial questions?—No; I object to there being a separate commercial department established in the Foreign Office distinct from the Board of Trade, because I do not see that you would gain anything by it practically. I think it might occasion some clashing, without producing any good result; it would be merely transferring a set of clerks from one house to another.

3238. It has been stated by Earl Russell, and I believe your Lordship shares in the opinion, that there would be no objection to a clerk in the Foreign Office having the immediate charge of questions of a commercial nature, with a view to being the medium of communication with the Board of Trade?—If it would hasten the business, I think it would be a very good plan.

3239. With regard to the other proposal which has been made, that the Board of Trade should be brought into more immediate contact with our consuls and ministers abroad upon matters of detail connected with commerce, you would not see any objection to that, would you?—No, I think, certainly not; I have explained how I would hasten the transmission of the correspondence, and, I think, it would very much relieve the Secretary of State of a duty which he is not always competent to perform by having the commercial despatches, which should be separate from the political ones, forwarded to the Board of Trade for the Board of Trade to take the initiative, putting their directions or suggestions upon them, so that when the Secretary of State received them he not only would receive the contents of the despatch but he would have the despatch commented upon, and, to a certain degree, explained to him by men more conversant with commerce than himself. It would then be for him to decide whether the question had any political bearings or not, he being responsible entirely for the political bearings, and he would naturally, if he agreed with the suggestions of the Board of Trade, desire that they should be carried out, but the suggestions would be carried out by the Board of Trade itself.

Right Hon. The Earl of *Malmesbury*, G.C.B.

1 July 1864.

3240. At present merchants and manufacturers are frequently going to the Board of Trade with individual grievances connected with their transactions with foreign countries, particularly with France, arising out of the working of the new treaty. The practice now is for the Board of Trade having heard the statements of those gentlemen, to send a written communication upon the subject to the Foreign Office, and the Foreign Office then communicates with the foreign minister or consul; as I understand you, you would have no objection to the Board of Trade communicating directly with the foreign consul or Minister if they sent their communication through the Foreign Office?—Certainly; under flying seal it might be done.

William Schaw Lindsay, Esq., a Member of the House; Examined.

3241. *Chairman.*] You are now, and have been for a long time, an extensive shipowner?—I am still a considerable shipowner, but not so extensive as I was.

3242. As a shipowner, very actively engaged in business, you have had the Navigation Treaties with foreign countries, and all negotiations between our Government and foreign governments relating to shipping, brought very closely under your knowledge?—Yes, upon various occasions.

3243. I think that upon two or three occasions you have yourself done what you could with foreign governments to obtain a relaxation of their restrictions with regard to navigation in the direction of free trade?—Yes; in 1860, I brought under the notice of the House the question of the differential duties which were still levied by various foreign nations upon goods imported into those countries in British shipping, in a Resolution which was adopted by the House. I afterwards saw the Board of Trade and the Foreign Office upon the subject, and had various communications, both by letter and in person, with the Board of Trade, and with the Foreign Office.

3244. You say, with the Board of Trade, and with the Foreign Office; do you yourself, and are you aware whether the shipowners, generally, find it necessary to consult both Departments upon anything affecting foreign shipping?—Upon all matters connected with dues upon shipping levied in foreign ports, they usually communicate with the Foreign Office, because they are more immediately under the control of the Foreign Office through the consuls. In cases where shipping is burdened by an extra duty levied upon goods, and upon similar questions which do not come often under the notice of shipowners, the communications are generally made with the Board of Trade upon the subject.

W. S. Lindsay, Esq., M.P.

3245. But, though those questions do not so often come under the notice of the shipowners as the others you mentioned, they are questions of great importance, are they not?—They are questions of very great importance, indeed, to the shipowners, because the effect of them upon the shipowners is, that in many cases the differential duties are so high, that British shipping is excluded entirely from particular branches of trade.

3246. Then, if the shipowners make representations to the Government to use their utmost endeavours to get rid of such differential duties, you say that the department of the Government to which they would go, would be the Board of Trade?—Necessarily so.

3247. You are aware, are you not, that it would not be the Board of Trade that would conduct the negotiation which would result upon that

W. S. Lindsay, Esq., M.P.

July 1864.

that representation but the Foreign Office?—Yes, the Board of Trade would be obliged to communicate with the Foreign Office, having no correspondents of their own at the place where the grievances exist.

3248. I dare say you are aware that the Chambers of Commerce throughout the country, and the merchants and manufacturers generally, have expressed an opinion that the necessity which they are under, in matters relating to foreign tariffs and in matters relating to foreign trade generally, of going to two offices, or the system of their going to the Board of Trade to give the information that the Board of Trade may send it on to the Foreign Office, leads to delay, and may lead to inefficiency; does that feeling exist among the shipping community, do you think?—It must lead to delay. It has often struck me that it led to greater evils than delay, because there is no department at the Foreign Office at all familiar with the subjects which the shipowners and merchants have brought under the notice of the Board of Trade, and which the Board of Trade have represented to the Foreign Office; consequently, the Foreign Office is not competent to deal with those questions, from the want of that knowledge upon the subject which the Board of Trade alone possesses.

3249. Am I to understand by that that you feel, and that you think the shipping interest generally would feel, that if you wait upon the Foreign Office to request them to carry out your wishes in a negotiation with foreign countries, you would not find in the Foreign Office that amount of information that would be necessary to do it with success?—The Foreign Office would, no doubt, be obliged to refer to the Board of Trade for a considerable amount of their information in many cases. The Foregn Office would have duplicates of the papers which the Board of Trade possess upon various subjects, though not upon all.

3250. In order to remove that evil, a suggestion has been made to this Committee that the Board of Trade should be allowed to be in direct communication with our consuls and with the diplomatic agents and ministers abroad upon trade questions, and that they should not obtain that information solely through the Foreign Office, or be only allowed to make their suggestions through the Foreign Office; what is your opinion of such an alteration as that?—Such a system as that which you have shadowed forth just now strikes me as likely to be attended with many difficulties. I understand you to say that you think the Board of Trade ought to be placed in communication, upon such questions as those to which you refer, with Foreign Governments?

3251. Not with Foreign Governments, but with our consuls and foreign ministers abroad?—Then, in fact, our foreign ministers and our consuls would be in the very awkward position of serving two masters; they would be under the control and supervision of the Foreign Office, but yet at the same time they would be under the orders, in such mattters as this, of the Board of Trade.

3252. That difficulty has been felt, and in order to meet that difficulty it has been proposed that the communications should all pass through the Foreign Office under flying seal; that is to say that they should be read at the Foreign Office, and if it was found that there was any possibility of collision between the two sets of instructions the Foreign Office should have the opportunity of informing the Board of Trade of such possible collision and of putting it in their power to remove it?—I do not understand whether it is proposed in that case that a consul or a minister to whom a communication was made by the Board of Trade should send his answer direct to the Board of Trade.

3253. It is proposed that we should send it through the Foreign Office under flying seal?—I still see a difficulty in it.

3254. Another suggestion has been made to meet the evil, and that is that the Foreign Office should be expected to be, I may say, self-sufficing in information; that it should be expected to have in its own department the knowledge necessary to conduct commercial negotiations, and that in order to do this, the permanent officials who are at present in the Board of Trade, and whose business it is to obtain or give information with regard to the details of trade and the interests of British merchants, shipowners, and manufacturers, should be transferred to the Foreign Office; what do you think of that suggestion?—I think, of the two courses, that which you have just now described is much more likely to meet the evils which are complained of than the former course; if a change is to be made I would much prefer seeing the change made in the direction which you have now indicated.

3255. An objection has been made to that suggestion, that even if a commercial department were established in the Foreign Office, still it would be necessary for the Foreign Office to consult the Board of Trade upon trade questions, because foreign trade is said to be so intimately connected with domestic trade that a commercial department in the Foreign Office would not be able to give all the information that was necessary, and, consequently, there would still remain the necessity of consulting the Board of Trade; what is your opinion upon that?—That is answered at once by the fact that there is at the present moment, and has been ever since there was a Foreign Office, I believe, a commercial department in the Foreign Office. I refer to the Consular Department; I think that might be extended with great advantage.

3256. You are aware, I suppose, that the consuls do already communicate with the Board of Trade upon matters relating to the mercantile marine?—I am aware that they do.

3257. Has the working of that communication come before you as a shipowner?—Not in a very striking manner; that is to say, I do not remember any instances at the present moment where I have had any cause for complaint of the working of that system.

3258. Mr. *Butler-Johnstone.*] Do you think that it would be more advantageous to keep the power of negotiation in the hands of the Foreign Office, and to give no executive power to the Board of Trade?—I think it would be much more desirable to keep the power of negotiating in all such matters as those to which the Honourable Chairman has referred in the hands of the Foreign Office.

3259. Upon what do you base that opinion?—My reason is, that I think the work would be done with more promptitude; and if those negotiations were entirely in the hands of the Foreign Office our diplomatists abroad would necessarily, in their training, be obliged to gain a knowledge of commercial affairs, which would be very

very useful to this country, and they would, consequently, be much more competent to deal with those questions than they are now.

3260. If they communicated with the Board of Trade upon commercial questions, that commercial education would still exist, would it not?—I speak of the knowledge which it is desirable for our ambassadors abroad to possess. I think it would be well for young gentlemen who are training for diplomacy, in passing through their examinations, to obtain greater knowledge than they are now obliged to gain of commercial matters and of our commercial relations with foreign countries, because they would be more competent to deal with foreign governments in regard to those questions than they are now.

3261. They would still have to deal with foreign governments upon those questions, whether they communicated with the Board of Trade or the Foreign Office; would not more zeal be communicated to our representatives abroad if they had to correspond with the Board of Trade, that being the department which knows most of commercial matters?—I am speaking under the presumption that a department in the Foreign Office was formed for the conducting of those commercial affairs with foreign nations.

3262. Mr. *Somerset Beaumont.*] In your communications with foreign governments, of course you have found it unnecessary to be in communication either with the Board of Trade or the Foreign Office, from having such a thorough knowledge yourself of all the details; but in your negotiations, for instance, with the French Government, if you had had to refer to either office, to which office should you have referred, the Board of Trade or the Foreign Office?—It is difficult to answer that question; any negotiations that I have had have been entirely of an unofficial character, and I must say that whenever I desired information at the Foreign Office, I always received it with great facility. Speaking of the system as it exists at the Foreign Office now, I mean the business arrangements of that office, it struck me that matters were admirably arranged at the present moment, so far as the system of the office is concerned; I have found no difficulty in gaining information, although they may have had occasion to refer often to the Board of Trade for papers or returns which were not in their possession. I have had no reason to complain of any delay, as far as my experience goes, in any communications that I have had occasion to have with the Foreign Office.

3263. Although you approve of the system of the Foreign Office, you say, do you not, that there is no special knowledge there?—That is the very thing I would desire to see; a greater special knowledge upon these particular subjects.

3264. When you say that there is no special knowledge in the Foreign Office, do you speak of the Foreign Office including our representatives abroad, or the Foreign Office in England only?—I speak more of our diplomatists abroad. It is impossible for our diplomatists abroad to be familiar with the complications of those questions of differential duties, so as to know how they affect ships and how they affect commerce, unless they are specially trained to it, which they are not; they are all questions of detail which no one can become familiar with except after considerable training.

3265. All the negotiations that you have had with the French Government, for instance about differential dues upon shipping, have been unofficial, you say, and not recognised by the Government in any way?—They have been entirely unofficial, that is to say, so far as I was concerned. The Foreign Office was good enough to recognise the fact that those questions were questions with which, after many years' experience, I was familiar. They were, no doubt, very glad to receive my services upon questions with which neither the Foreign Office nor our diplomatists could be expected to be so familiar as I have been, after my many years' experience. My position was, I need not say, entirely unofficial; the Government was in no way responsible for anything that I did or said, although I, of course, communicated to Lord Cowley all that took place at the different interviews that I had with the members of the French Government.

3266. Did you begin those negotiations at the instigation, or with the concurrence, of any Cabinet Minister?—I began those negotiations with the concurrence of Earl Russell. They were commenced shortly after the motion which I brought forward in the House of Commons, to which I have already referred.

3267. You said that you did not find our ministers abroad, generally speaking, thoroughly or even well informed upon those commercial subjects; do you say that from a recollection of communications with any particular minister, or is it a general opinion?—I have no hesitation in saying that Lord Cowley at once said, "Those are questions which it is impossible for me to understand." They are questions of a practical and technical nature, which, unless a man is trained to them, he cannot be expected to understand. I found the same thing with Lord Lyons at Washington; on my speaking to him upon these subjects he frankly owned that the questions were of a nature that he could not be expected to understand; they are really difficult questions.

3268. In both those cases there would be an English consul, would not there, both at Paris and at the American ports?—Yes.

3269. Would it not be reasonable to expect that the consul would be well informed upon those details?—It is to be expected that the consul would be always better informed than the minister, because to a certain extent a consul has a training in these matters; at the same time, as you must be aware, knowledge second-hand can never be used to the same advantage as knowledge which you yourself possess. Therefore I think that it would be desirable if some plan could be adopted whereby our diplomatists, as they pass through their different grades, would gain that knowledge, that knowledge, I conceive, being of the greatest importance to this country as a great commercial nation, having more dealings with the world than any other nation.

3270. Mr. *Layard.*] You have had a great deal of intercourse, I think, with the Foreign Office?—A good deal.

3271. And your opinion of the office is, that for the transaction of current business the machinery is very good?—The machinery, from what I have seen of the Foreign Office, is excellent; that is to say, if you wish to get information upon any particular subject which is under their immediate control, you have no difficulty in obtaining it at once; that is my experience of the Foreign Office.

3272. Would you say that with reference to the organization of any other public depart-

W. S. Lindsay, Esq., M.P.

1 July 1864.

ments?—I do not like to run down other departments, but I must say that it has struck me always that the Foreign Office is the best arranged office of all the public departments we have; I speak simply of the arrangements of the office.

3273. In your dealings with our ministers abroad, have you found that they have been anxious to give you every assistance in their power?—I must say that Lord Cowley, with whom I have had the greatest amount of dealings, has offered every facility in his power at all times and upon all occasions; but at the same time I may add, that he frankly owned to me that he could not be of the assistance that he would like to be, because they were questions which he did not understand.

3274. I think you went to Paris with a strong letter from the Foreign Office, recommending you to Lord Cowley, and directing Lord Cowley to give you every assistance in his power?—Earl Russell was good enough to give me strong letters to Lord Cowley, and he assisted me to the best of his ability; upon those questions he gave me every facility.

3275. And you found Lord Cowley anxious to put you in connexion with those persons in France who he thought would be useful in promoting the object you had in view?—Yes; at the same time, I think that if Lord Cowley had possessed that particular knowledge the result might have been different.

3276. You saw the Emperor and several official persons, did you not?—Yes.

3277. Have your visits to Paris had any result?—They have had this result, that the Emperor has appointed a Commission of Inquiry, which is still sitting, and which, I believe, from the evidence taken before that Commission, will lead to very happy results; but great changes, such as these, as you are aware, require a long time to effect.

3278. I think you have also been to Portugal and Spain, and taken the opportunity of your journeyings to communicate with the Governments of those countries?—I have, with the kind permission of the Foreign Office, communicated with the Governments of those countries, when I had occasion to be in those countries, with regard to the folly of maintaining the high differential duties, which I have always contended do them much more injury than they do us.

3279. Did not the Foreign Office give you strong letters of recommendation to the ministers in Spain and Portugal?—Yes; they have always done so when I asked for them.

3280. You have been in constant communication with Mr. Hammond and myself have you not?—Yes.

3281. You have always found Mr. Hammond and, I hope, myself, desirous of doing everything we could to promote your objects; have you not?—Always.

3282. As regards the commercial training of our diplomatic servants abroad, do you think it would be possible to give them such a commercial training as would afford them an insight into the details of tariffs and navigation, which are things that could only be thoroughly understood by a man whose life had been devoted to those subjects?—I think it could be done.

3283. How would you propose that it should be done?—I presume that our diplomatists, as attachés, are obliged to go through a schooling, and I would make a part of their education the knowledge of those matters. I would make them read up upon those questions, and make themselves familiar with them in the same way as they are familiar with foreign languages. I say that the one is almost as essential as the other, considering our relations with foreign countries.

3284. Do you think that any of our diplomatists abroad could obtain such a thorough knowledge of commercial and shipping questions as would enable them to speak with authority upon those subjects?—I think he could obtain a knowledge which would enable him to speak with more authority than he now does. I do not not mean to say that the diplomatist would gain that extent of knowledge which a man has who has been trained to these matters through life, but he would gain a knowledge that he does not now possess, and which might at times be very valuable to this country.

3285. Do not you think that a minister abroad would be much more competent to carry on a negotiation, with you, for instance, at his elbow, upon a commercial question, than he would be by himself, however well instructed he might be on commercial matters?—No. According to the old maxim, that a man can always do his own business best, he must work much more efficiently, possessing that knowledge himself, than he could by receiving that knowledge through a second person.

3286. Do you think it possible that any of our diplomatic agents abroad could by any amount of training possess the knowledge that you have upon commercial and shipping matters?—It is not for me to say what knowledge I possess; but I think that he might by training obtain a knowledge which he does not now possess, which would be very valuable to him and to his country.

3287. Do you not think that a general training, making a man informed upon many subjects with which he will have to deal, would be better than such a specific training as you describe?—No, I think not, because the specific training you require has become very limited upon those questions of differential dues. As you are aware, all nations except France, Spain, Portugal, Holland, as regards the East India Company and America, as regards the coasting trade, have abolished all differential duties as affecting English shipping. Consequently, so far as regards the interests of British shipping, our diplomatists would only require to gain a knowledge of the differential dues still levied by those five countries.

3288. You now speak as a shipowner; a merchant would say that a diplomatist ought to be educated so as to deal with questions affecting him; do you not think that it is almost impossible to give any man who has the vast number of duties to perform which a foreign minister has such a specific knowledge of any particular subject, as to enable him to speak with authority upon it. I agree that it is very important to give a man a general knowledge to deal with those subjects when information is given him; but I ask whether you think that the special information could by any amount of training be given him?—The special information that he would require would not be very extensive, because the shipowners' and the merchants' interests are exactly the same upon those questions to which you refer. By the differential duties levied by foreign nations,

nations, the shipowner is prevented from entering a port; by those same differential duties, the merchant is prevented from sending his goods to that port. So that the knowledge required in the one case is exactly the same as the knowledge required in the other; the interests of both are alike and are confined to one particular question. A knowledge of those high differential duties levied by foreign nations, which we desire to remove for our own interest, and which we say those nations ought to remove for their own interest, is the whole commercial knowledge that our diplomatists would require; and I for one must say that I would rather see our diplomatists employed in impressing those great facts upon foreign nations, than employed as they sometimes are.

3289. Will you have the goodness to give your definition of what you mean by "employed as they sometimes are"?—I mean interfering very often with matters in which England has really no interest, matters affecting the Government of the country to which they are attached. They would, I think, be better employed in bringing under the notice of that foreign Government those questions in which we were interested, than in bringing under their notice questions in which we have really little or no interest.

3290. That is a mere matter of opinion, is it not?—That is a mere matter of opinion.

3291. Are you aware whether our agents abroad are constantly employed in endeavouring to impress those very views upon foreign Governments?—I do not know anything specifically. *W. S. Lindsay, Esq., M.P.* 1 July 1864.

3292. Have you ever read any of the reports of our Secretaries of Legation abroad?—I have.

3293. Do you not consider that, as a whole, they show a considerable knowledge of the subjects upon which they write?—They show considerable ability, but less commercial knowledge than they might possess.

3294. Do I understand you to say that you wish that there should be a department in the Foreign Office for dealing with questions of navigation and shipping?—I do not exactly say that; I should like to see in the Foreign Office a greater knowledge than that which the Foreign Office now possesses for dealing with those questions: it might be done by extending the consular department, or in some other way.

3295. Are you acquainted with any of the foreign offices on the Continent?—I am not sufficiently conversant with them to be able to offer an opinion.

3296. You do not know whether such a department as you suggest exists in any of those foreign offices?—I am not aware.

EDMUND HAMMOND, Esq., called in; and further Examined.

3297. Mr. *Layard.*] THERE has been some misunderstanding with regard to the reciprocity treaty negotiated between this country and the United States; can you give any statement to the Committee, founded upon documents at the Foreign Office, to show to the Committee what really took place in those negotiations, and how far the Board of Trade was consulted, and how far the suggestions of the Board of Trade were carried out in the negotiation of that treaty?—Yes. On hearing that the subject had been mooted, I thought that the best way was for me to go through the correspondence for the satisfaction of the Committee; and I drew up the memorandum, which I should like to read to the Committee." The first idea of a convention with the United States, applicable not only to the fisheries but generally to our commercial relations with the United States, seems to have been broached in conversation between Lord Malmesbury and the United States Minister, Mr. Lawrence, in August 1852, and in a despatch to Mr. Crampton, of the 26th of that month, Lord Malmesbury said, that Her Majesty's Government would prefer London as the seat of negotiations, as the question to be discussed involved matters in which both the Secretary of State for the Colonies and the President of the Board of Trade were equally with himself concerned, and their presence at the discussions would be of essential importance to British interests. On the 27th September Mr. Crampton reported that the President preferred that the negotiation should be carried on at Washington, and that in compliance with his request he had informed the President that the principal commercial questions between the two Governments were the reciprocity of trade with the North American Colonies, including the fisheries, the coasting trade, as regarded the voyage from the Eastern States of the United States to California, and the admission of British-built vessels to American registers, when built or purchased by American citizens. This despatch was sent to the Board of Trade on the 13th of October, with a request that they would prepare a statement to be submitted by Mr. Crampton for the consideration of the President of the United States, and another despatch on the same subject was sent to them on the following day. The Colonial Office, to whom a similar reference was made, replied on the 29th of October, but no statement was received from the Board of Trade up to the 15th of the following January, when an instruction was, with the concurrence of the Colonial Office, sent to Mr. Crampton, in reply to a report from him of his communications with the United States Government, and enclosing the draft of a convention, which, with the exception of an article providing for the registration in the United States on the footing of American-built vessels, of vessels built in Great Britain or the British Colonies, related entirely to colonial fisheries and trade. This instruction enclosed an amended draft of a treaty the object of which was stated in the preamble to be to settle questions of fishery, and to regulate the commerce and navigation between their respective territories and people, and more especially between Her Majesty's possessions in North America and the United States. The only article in this draft also bearing on general British interests was one relating to registration of British and colonial-built vessels. The proposed draft, however, was not accepted by the United States, and President Fillmore retiring from office, the question of a treaty between the two countries remained in abeyance. On the 28th March 1853, the statement requested from the Board of Trade on the 13th of October previous, not having yet been supplied, the whole of *E. Hammond,* Esq.

E. Hammond, Esq.

1 July 1864.

of the correspondence with Mr. Crampton since the latter date, was referred to the Board of Trade, with a request that in communication with the Colonial Office they would advise Lord Clarendon as to the course which it might be desirable for Her Majesty's Government to adopt. On the 20th of April the Board of Trade sent a full statement of the various points which they considered should be raised in discussion with the United States, and the Colonial Office, having on the 12th of May signified their concurrence, copies of the letters from both departments were sent to Mr. Crampton on the 20th May 1853, with instructions to shape his language strictly in conformity with the views therein set forth. On the 22d of September, Mr. Crampton's report accompanied with a counter project given him by the Secretary of State of the United States, was sent to the Board of Trade and Colonial Office; and the former on the 18th of November, and the latter on the 23d of November replied that the American proposals were not such as could be properly accepted; Lord Elgin, who was at that time in England, having been shewn the papers, and consulted by the Duke of Newcastle on the subject. In conformity with those opinions a draft of instructions to Mr. Crampton was prepared and forwarded on the 13th January 1854 to the Board of Trade for consideration, and on the 16th they signified their general concurrence in the draft instruction, adding two remarks upon it, and the concurrence of the Colonial Office, having been subsequently obtained, the despatch was sent to Mr. Crampton on the 2d of February. In this despatch the objection entertained to the American proposals having been stated, and the conclusion which had been arrived at, as to the fruitlessness of continuing the negotiations on their present footing, Mr. Crampton was instructed to state that Her Majesty's Government thought it best to suspend for a while the pending negotiations until they could see their way more clearly towards an approximation of the divergent views; but they hoped that the moment of such approximation was not far distant. Only the most material letters in the correspondence between the two offices have been specifically alluded to in this statement; but it appears that between June 1852 and April 1854 no less than 26 letters passed between the Board of Trade and the Foregn Office, 27 between the Admiralty and the Foreign Office, and 94 between the Colonial Office and the Foreign Office on the subject of the American Fisheries and Commercial Convention with the United States. The opportunity for renewing negotiations with the United States appeared to arise when Lord Elgin was returning to Canada in May 1854; and he was accordingly directed to visit Washington on his way, and if he should find a favourable opportunity for renewing the negotiations suspended a short time before, he was empowered to conclude a treaty. He was furnished with the whole of the correspondence with Mr. Crampton, the Board of Trade, and the Colonial Office on the subject. Lord Elgin having found a suitable disposition on the part of the Government of the United States, concluded on the 5th of June a treaty, which, as I am assured by the librarian, is, as far as it goes, strictly in conformity with the suggestions contained in the letters from the Board of Trade and the Colonial Office. The treaty, however, is purely confined to Colonial interests."

3298. Have you prepared a memorandum to show exactly the relative action of the Foreign Office, the Board of Trade, and the Chancellor of the Exchequer, and other departments concerned in the negotiation of the treaty of commerce with Paris?—Yes, "It was arranged between Lord Cowley and M. Thouvenel that the settlement of the details of the tariff should be left to Mr. Cobden and Mr. Rouher with their respective assistants. This arrangement was made, as stated by Mr. Cobden in a letter to me of the 22d September, when the French Government having finished their preliminary inquiries announced their readiness to proceed to the settlement of the tariff. On the 11th of September, Lord Cowley reported that the negotiations between the second plenipotentiaries for the revision of the tariff were so far advanced that the first supplementary convention was ready for signature, and he asked whether he might sign it without reference home, Mr. Cobden being of opinion, that such reference would involve a useless waste of time without any concomitant advantage, and Lord Cowley being himself of opinion that no further modifications could be obtained. This despatch was referred to the Board of Trade on the 12th of September, the day that it was received in London, and their opinion asked on the suggestion, but no opinion seems to have been officially given by them up to the 15th of September, on which day Lord Cowley was informed that Her Majesty's Government would prefer that the draft of supplementary convention should be sent home for consideration before it was signed, in order that it might be seen whether there was any practical difficulty in carrying the provisions of it into effect, although Her Majesty's Government were ready to take for granted that the specific duties of the convention were in conformity with the original duties of the treaty. It may be as well to mention in this place that according to the additional article of June 27, the first supplementary convention was to comprise only iron, steel, machinery, tools, and mechanical instruments. On the 18th September, Lord Cowley sent home the draft as received from Mr. Cobden, having been agreed upon that day by the four plenipotentiaries; but no English version either of the convention or of the tariff was sent over and indeed had not been sent over up to 26th of September, which as regards the tariff was especially necessary in order that the meaning of the French terms might be correctly appreciated. By this draft it appeared that the tariff instead of being an annexe, was to form part of the first article of the convention, and consequently, as the case was submitted to Her Majesty's Government, one could not be dealt with dissociated from the other. The draft was sent on the 19th, as soon as it was received, to the Board of Trade, with a request that no time might be lost in examining its provisions, and in deciding whether Her Majesty's plenipotentiaries might sign it or not. This would have been done at all events, if circumstances admitted, but it was especially necessary to do so in the present case, in as much as by previous agreement the communications between the Government and the British Commissioners had been made over to the Board of Trade, and that department was therefore alone competent to decide whether their views had been carried into effect. On the 21st September the Board of Trade replied that they had with the Treasury given such attention as time permitted to the draft convention,

tion, and the protocols giving a detailed account of what had passed in the conferences at Paris, and that they had come to the conclusion, that they could not express any opinion whatever without much more ample materials than they were in possession of, and without considerable delay; and they, therefore, left it to the Secretary of State to determine whether the convention should be signed on the authority of the Commissioners, so as to admit of its coming into operation on the 1st October (on which date, according to the original treaty, the tariff as regards articles of iron was to take effect), or be delayed for a considerable period. A reply was sent on the same day to the Board of Trade acquainting them that Lord Cowley was on that day told that whatever reliance Her Majesty's Government might justly place on the judgment and sagacity of the British Commissioners, the matters treated of were so important in their bearing on the manufacturing interests of the country, that Her Majesty's Government would not be justified in adhering to the conclusions of the Commissioners without first satisfying themselves by inquiry and examination that those conclusions were correct. Lord Cowley was further told that the Commissioners might, in the mean while, proceed with the remainder of their work, namely, the arrangement of the details of the tariff as affecting other articles besides iron, and send home for consideration the drafts on which they might agree; and having thus completed their work in Paris, the Commissioners would be at liberty to come to England, if their presence should be required to clear up difficulties and remove any doubts which might suggest themselves. The Board of Trade were further told to proceed as quickly as possible with the examination so as to satisfy their own minds as to the chief articles referred to in the convention then before them, and as to the advantage or disadvantage of allowing the convention and tariff to be accepted in their present shape or as to the alterations which it might be desirable to propose. It may be mentioned here, that in a letter, dated the 22d September, Mr. Cobden said that he hoped no vague fear of responsibility would be allowed to delay the acceptance of the French drafts as agreed to after close and serious attention on the part of himself, Mr. Mallet, and Mr. Ogilvie. They were ready to accept all the responsibility of the task. It was obvious, however, that although the Commissioners might be ready to take upon themselves responsibility for what they had done, neither Parliament nor the country would hold Her Majesty's Government irresponsible if the acts of the Commissioners were not acceptable. It is not the person who negotiates, but the Government who accept and sanction this act of the negotiator, who is accountable to Parliament and the country for the result. On the 26th September the Board of Trade stated that they were satisfied that the examination and revision of the Convention would be difficult, useless, and very likely to be mischievous, and giving their reasons for this conclusion, and for declining to undertake the revision of the convention and tariff, they pressed whether the convention should not be adopted without further delay on the authority of the Commissioners. They nevertheless enclosed a memorandum on points raised by the convention, which they thought might be usefully submitted to the Commissioners, though they did not think the points of sufficient importance to justify the rejection, or even the postponement of the convention, if the Commissioners were of opinion that no alteration was necessary or possible. The points adverted to by the Board of Trade occurred in the 1st, 2d, 3d, 4th, 5th, 6th, and 7th articles, and they further observed that no English translation of the tariff or convention had been sent from Paris, and expressed their opinion that a formal and sanctioned translation should be adopted by the Commissioners. On the 26th of September a conference was held at Paris, a short report of which was sent by telegraph on that day, though the detailed account was not received till the 28th, between Lord Cowley and Mr. Cobden on one side, and M. Thouvenel and M. Rouher on the other, in which was discussed the course that should be taken, seeing it was improbable that the convention should be signed, so as to admit of the tariff coming into operation on the 1st of October; and M. Thouvenel suggested that a protocol should be signed, or notes exchanged, setting forth that in order to give time for Her Majesty's Government to accept the convention and tariff, the lengthened discussion on which in Paris had prevented its being submitted to Her Majesty's Government until very lately, it had been agreed to extend the period for promulgating the tariff for a time, to be fixed by Her Majesty's Government. The Board of Trade too, on the 27th, wrote that they understood from the Commissioners at Paris that the French Government would not object to postpone for consideration the articles of the convention objected to, provided the tariff could be brought into operation on the 1st of October; and they pressed that instructions should be immediately sent to Lord Cowley to sign the convention, on the understanding that the 4th, 5th, 6th, and 7th articles, the only articles which appeared open to any substantial objection, should be referred for further consideration. Lord Cowley was accordingly informed by telegraph, on the 27th, that the tariff would be accepted as sent over, but that the Convention required alteration. This instruction had been already sent off, when a telegram was received from Mr. Cobden, dated also the 27th, and saying that any part of the text of the Convention which might lead to controversy, or cause delay, might be omitted, and I had previously received from Mr. Cobden a letter dated the 26th (in reply to an explanatory letter from myself, of the previous day, having reference to the necessity of the opinion of the Board of Trade being obtained before the Foreign Office would sanction the Convention), and begging me to understand that he was not advocating the principle of signing treaties, the text of which had not been verbally criticised at home; that he had from the first moment drawn a distinction between the text of the treaty and tariff, which was a sort of schedule or appendix [the tariff however was originally to form part of the first article of the treaty], and that it was the tariff alone that he contended ought to be accepted on the authority of those who had been sent by the Board of Trade and the Customs to assist at its arrangement. The telegram to Lord Cowley, of the 27th, above referred to, was expanded in despatches, bearing date the 28th of September, which stated that the tariff was accepted, but that on account of the objection stated by the Board of Trade to the 4th, 5th, 6th, and 7th Articles of the Draft Convention, that Convention could not be accepted in its present shape. The main objec-

E. Hammond, Esq.

1 July 1864.

tions turned on the opening afforded to the French Government for arbitrarily increasing the duty on refined sugar, on the manner in which the umpire was to be named to decide differences of opinion as regards the value of goods, and the fine for undervaluation; and objections were also entertained to the extent of power given to French consuls, in regard to certificates of origin. An amended Draft of Convention was sent to Lord Cowley, but he was told that if the French objected to it, he might sign such a protocol as had been suggested by M. Thouvenel. Copies of the despatches to Lord Cowley were sent to the Board of Trade on the 29th of September, and they were told that whether the French Government agreed to sign the Convention with the omission of the fourth, fifth, sixth, and seventh articles, but with an understanding that those articles were to form matter for more deliberate discussion between the two Governments, or preferred to allow the Convention to stand over altogether till the points in dispute could be settled, it would be necessary to inform the British plenipotentiaries of the nature of the modification required by Her Majesty's Government, and the Board of Trade were accordingly requested to say in what manner they wished the articles to be amended. On the 29th of September Lord Cowley reported that Mr. Cobden dissented from the views expressed by Her Majesty's Government on the articles objected to, and would communicate with the Board of Trade with the view of removing the objections felt by that department. In order, however, to prevent any inconvenience from delay, it was determined that the plenipotentiaries should confine themselves to affixing their signatures to that part of the tariff which related to iron, so that it might come into operation on the 1st of October; and as no *ad valorem* duties would be involved in it, the difficulty respecting experts and umpires would not arise. On the 1st of October the Board of Trade sent to the Foreign Office an amended draft of convention, repeating, however, their opinion, expressed on the 26th of September: that as it was of the utmost importance to get the tariff accepted and brought into operation at once, if the French Government should refuse to adopt all or any of the proposed amendments, the plenipotentiaries should be at once instructed to sign the draft convention as originally proposed, rather than endanger or postpone the tariff. The amendments suggested by the Board of Trade applied to seven of the original articles, and proposed two new ones. On the 3d of October, in anticipation of the French Government objecting to sign a convention in which the fourth, fifth, sixth, and seventh articles of the original draft were omitted, an amended draft of convention was sent to Lord Cowley. This draft first made the tariff an annexe to the convention, instead of embodying it in the 1st article; 2d, defined more clearly the part to be taken by French consuls in regard to certificates of origin and value; 3d, provided for estimating the manner in which duties on warehoused goods should be levied; 4th, omitted the proposed penalty for undervaluation; 5th, improved the mode of appointing umpires; 6th, provided for the cost of arbitration; 7th, provided against arbitrary duties being raised on refined sugar. Lord Cowley was instructed to bring these points under the early consideration of the French Government, in the event of a convention not being already concluded, the object of Her Majesty's Government being to make the arrangements so clear and precise as not to leave room for any doubt or discussion hereafter; but while Her Majesty's Government were as anxious as that of France to arrive at a satisfactory conclusion, such conclusion must nevertheless be as satisfactory to the British as to the French Government. On the 4th of October Lord Cowley reported that the French plenipotentiaries had immediately accepted the minor alterations and additional articles proposed by Her Majesty's Government, but would not accede to the proposed restriction of the powers of French consuls. They made some difficulty about the sugar article; and the arrangement about umpires could not be placed on the footing most desired by Her Majesty's Government. On the 5th Lord Cowley was apprised by telegraph, and also by despatch, that Her Majesty's Government agreed to accept the French proposals as to the consular interference; would accept the proposed modification about umpires under a condition, which, however, was eventually not insisted upon; and preferred that the article respecting refined sugar should be wholly omitted. The several points in the convention were discussed and settled in Paris on the 8th of October, and reported by Lord Cowley in a despatch dated the 10th. The assent of Her Majesty's Government was signified the same evening, accompanied with some suggestions for slight verbal alterations; and the Convention was signed on the 12th, a few verbal alterations being made in Paris with the view of rendering the sense more clear, and bringing the French and English texts into greater harmony. It is clear from this statement that it cannot justly be imputed to the Foreign Office that it alone interposed difficulties to the conclusion of the supplementary Convention. Its action in the matter was principally ministerial, with the view of enforcing and carrying out objections entertained by those most competent to form a correct opinion as to what should be done. I find by a report I made to Lord Russell on the 27th of September that, equally with the Board of Trade, Lord Palmerston, although agreeing to the tariff, objected to three articles of the Convention, while the Board of Trade objected also to a fourth, and Mr. Gladstone and Mr. Laing continued to urge their objections to the penalty proposed to be levied for undervaluation. On the other hand I find, in a letter which I wrote to Mr. Cobden on the 25th of September, the assurance that, "as soon as the Board of Trade have made up their minds, and their conclusions are accepted by Lord Palmerston, no delay shall take place in this (the Foreign) Office in apprising Lord Cowley and yourself of the course the Government decide to take, and no delay shall take place here in the formal part of preparing ratifications when the convention is signed and sent home."

3299. The Chambers of Commerce, from the evidence of the chairmen who have been examined before this Committee, would seem to wish that the Foreign Office should act at once upon their representations; has Mr. Cobden, in a letter, expressed a different opinion?—I have here a letter from Mr. Cobden, which was officially communicated to us by the Board of Trade, so that I may, of course, use it; the letter related to a question, which was submitted to us by the Huddersfield Chamber of Commerce. I will only read the part that applies to this subject; it is a letter dated the 16th July 1863: "As a general

general rule, I should say that recommendations emanating publicly from our own commercial bodies must afford very disadvantageous grounds for the Foreign Office in attempting to move other Governments to reduce their tariffs. I can understand that our diplomatists abroad might, in a quiet way, by keeping Foreign Governments well informed of the benefit which a free-trade policy has conferred, not only on the prosperity of our people but (what is still more precious to rulers) on the interests of the public revenue, induce them from motives of self-interest to follow our example; but from the moment that it is known that our diplomacy is set in motion by our Chambers of Commerce to urge a reduction in the tariffs of other countries, it places Foreign Governments, which are generally more enlightened and disinterested on economical questions than their people, in the disadvantageous position of appearing to move under foreign influence for the benefit of aliens; and thus the most seductive arguments are furnished to the protectionists, who can appeal to the prejudices and even the patriotism of the public in defence of what they call the rights of native industry. I have, whenever an opportunity has offered, expressed these views to the members of our Chambers of Commerce."

3300. Did not that letter relate to a memorial from the Huddersfield Chamber of Commerce, seeking a reduction of duties upon woollen goods?—Yes.

3301. Can you state what took place upon that memorial, in order to illustrate how a case of that kind would be dealt with by the Foreign Office in connection with the Board of Trade?—The case was this: a memorial was sent from Huddersfield, seeking a reduction of duties upon woollen goods. That memorial was received at the Foreign Office on the 15th of May 1863; it was referred to the Board of Trade on the 21st, who answered on the 1st of June. Lord Cowley was instructed on the 4th of June, and he applied to the French Government on the 6th of June; their answer was dated the 29th of June, and was sent home by Lord Cowley on the 1st of July, and communicated to the Board of Trade and to Huddersfield on the same day, the 6th of July. I mention this to illustrate the fact, that the delay in deciding a point rests very often with a foreign government, and not with the Foreign Office.

3302. In that instance there was some little delay; can you mention another case; for instance, that of the sewing-machines, in which that which the parties asked for was obtained at once, or within a short time?—Yes; a collateral point with reference to the sewing-machines was raised the other day. Messrs. Pitts wrote to us in great alarm, to say that they understood that the Custom-house at Boulogne was going to confiscate their sewing-machines, or take some prejudicial action against them. We received that letter on the 18th of June, last month, and it was sent off that very evening to Lord Cowley, with instructions to see what he could do in the matter. On the 20th Lord Cowley reported that he had obtained a suspension of the proceedings, and we communicated with the parties on the 21st. I mention this in justice to the French department, either the Foreign Office or whatever it may be, to show that sometimes they move quickly.

3303. Mr. Mallet, in answer to Question 2683, suggests that the matter referred to there (I think it was with regard to the fluid magnesia, mentioned by Mr. Cobden), might be disposed of by private correspondence alone; do you think it is, in general, advisable to settle matters of that kind by private correspondence without having what takes place put upon record in the office?—I have a very great objection to any private correspondence of that kind upon official matters; it is necessary that such communications should remain upon record in the office. I speak of the general principle; I think that it is very inconvenient to attempt to deal with a matter which involves an official communication with a foreign government by private correspondence; the communications ought to be official so that they may be upon record hereafter. A question may be easily disposed of at the moment, but a similar question may arise years afterwards; and if there is no record kept of what has passed in regard to the first, you may be very much perplexed in dealing with the second.

E. Hammond, Esq.
1 July 1864.

3304. Have you endeavoured to ascertain from Lord Cowley whether the way of transacting business at Paris between the foreign ministers and the Foreign Office and other departments of the French Government is nearly the same as that which takes place in this country; can you give the Committee any information upon that subject?—Yes; I made the inquiry of Lord Cowley, and I received a letter from Lord Cowley upon that particular point this morning. I knew the fact from a conversation I had with Lord Cowley, but I thought it would be more satisfactory to the Committee if I asked him directly, and obtained the information direct from him. His statement is to this effect: The Minister of Commerce very seldom communicates directly with Lord Cowley; formerly it was different, but that was quite exceptional, and the practice would not have been sanctioned by the Minister for Foreign Affairs if he had been aware of it. Even as regards the admission of English students to the veterinary college at Alfort, Lord Cowley has been told that his application should go through the Foreign Office, and not directly through the Minister of Public Instruction; all official communications, of whatever nature they may be and whatever department they may regard, must be addressed to the Foreign Department.

3305. Therefore, according to the information that you have received, the mode of carrying on business at Paris is the same as that which takes place in this country?—Just the same.

3306. Is not the department in the French Foreign Office, which is called the Commercial Department, in fact, similar to our Consular Department in the Foreign Office?—I apprehend that it has more extensive functions; it would resemble our Consular and Treaty Departments combined, you may say, because in the French Commercial Department they draw up commercial treaties, and they likewise manage the telegraphs. I am not sure whether they do not also manage the railroads; they manage the telegraphs, certainly.

3307. They are not competent to give an opinion about matters of commerce without referring to the Minister of Commerce, are they?—No; they act in constant concert with the Minister of Commerce; that was the information I obtained from Paris.

3308. Mr. Cobden, in Questions No. 2667 and

E. Hammond, Esq.

1 July 1864.

2671, says that the Foreign Office "avows and confesses its ignorance with regard to questions of commercial policy;" have you ever stated anything which would lead the Committee to believe that you avow or confess that the office is ignorant with regard to questions of commercial policy?—I certainly did not mean to convey that impression to the Committee; what I meant to convey was, that we could not deal with the details of commercial policy. All drafts of commercial treaties drawn up in the Foreign Office, in my division, are submitted to me, and I alter them whenever I think necessary; and the same is the case in regard to Mr. Layard's division. I consider myself competent to deal with the drafts of all treaties; but as to the details of the tariffs, I admit my inability, and the inability of the Foreign Office generally, to do so. With respect to the treaties by which validity is given to the tariffs, I think I am perfectly competent to deal with them. No treaty goes through the Foreign Office relating to my Department (and probably Mr. Layard would say the same thing) which I do not go through, article by article, and alter, if necessary. There was a draft treaty the other day under consideration, not with a very important State, certainly, with Madagascar; but there were certain things that I saw which I considered objectionable, and those I struck out, after consideration; I had them altered because I thought them impolitic.

3309. What I may deduce from your evidence is this, that as regards questions of tariff, that is to say, questions altogether connected with matters of trade, such as the value of goods, the amount of duty to be placed upon goods, and similar questions of detail, the Foreign Office can have no knowledge; but that as regards our general commercial policy, the Foreign Office is as well able to judge as any other Department in the State?—Certainly; both of the policy as to the time, and the policy as to the manner in which the treaties are to be negotiated.

3310. All that you say is that the Foreign Office would not admit that they can have any responsibility in dealing with the mere details of a tariff?—Exactly; we certainly should not.

3311. Mr. Mallet, in answer to Question 2644, suggested that although the Board of Trade might communicate with our Ministers abroad and with the Foreign Ministers in this country, their communications should pass through the Foreign Office, who should stop them if necessary; is there any practical difference between that system and the present state of things?—No, I do not see that there is; if we are to judge of the letters addressed by the Board of Trade to the consuls, I do not see any difference between that system and our sending letters ourselves to the consuls; we should have to consider and take copies of the letters of the Board of Trade, and there would be no saving of time. It scarcely applies to the consuls, however, because, if you write to the consuls, it is merely to send you information. A consul has no action with a foreign Government to which any instruction emanating either from the Foreign Office or from the Board of Trade would apply; he has no means of acting; but if you wanted information, you would desire the consul to send it home; the object that you would write to a consul for would be, to furnish you with information.

3312. Do the observations which you have made apply also to communication with the diplomatic servants of the Crown?—Yes, certainly, in just the same way.

3313. Mr. *Seymour Fitzgerald.*] In reference to the answer you gave just now, namely, that the consuls could take no action, and that the only communication which could pass between the Board of Trade and a consul would be with the view of obtaining information, what would be your objection to having a direct communication between the Board of Trade and the consuls, merely for the purpose of obtaining information?—Simply because the object to be attained is not commensurate with the inconvenience which would result from having the consuls corresponding with two Departments.

3314. How would it be a correspondence with two Departments?—If the consuls were to correspond with the Board of Trade in reference to this mere commercial information, and to correspond with us upon all other points connected with our commercial duties, they would then be corresponding with two Departments. I do not think the advantage of merely transmitting to the Board of Trade direct commercial information, while the consuls continued to correspond with us upon all other matters connected with their duties, would be worth the while of having the inconvenience of the consuls being subject, you may say, to the directions of two Departments.

3315. If the correspondence were such as you indicated in your answer just now, namely, a correspondence with the view of obtaining information only, what is the practical inconvenience which would be felt from the consuls so corresponding with two Departments, with the one giving information upon commercial subjects, and with the other carrying out instructions, or giving information upon political questions?—I must answer that by asking another question; what good would there be in it? I can see no good myself.

3316. Is not there, practically, a delay more or less caused by the communication between the Board of Trade and the Foreign Office, which would be saved by direct communication from the Board of Trade to the consuls?—After all, supposing there was a delay of 24 or 48 hours, the communication to the Board of Trade of commercial information is, perhaps, not of that very urgent importance in ordinary cases. For example, whether so many ships have come in and so many ships have gone out, whether there have been so many tons of goods imported or not, is not of such very urgent importance as to make the delay of a few hours objectionable. If the Board of Trade want any information from us immediately, there is no delay. If I had received this morning, when I went to the office at half-past 12, a letter from the Board of Trade, saying they wanted from the consul at Cadiz such and such a piece of information at once, I should not have stopped to write a letter, but I should have telegraphed to him immediately, and I should probably have received the information this evening or to-morrow morning. If, however, no telegram was required, I should have found a letter ready for my signature when I got back to the office. It is quite a bugbear to suppose that there is any practical inconvenience in the delay which occurs. Let me say that if any Department or individual (for I do not limit it to a Department) wants to put us in motion, and wishes us to obtain information for them quickly, it is done on the spur of the moment; the

the paper does not leave my hands, if I have opened it, without an order for it to be acted upon instantly.

3317. My later questions to you have replied to your questions to me, but you have not yet replied to my question, What is the inconvenience of a consul communicating information upon details directly to the Board of Trade?—I think it is an inconvenience generally, that one public servant should be corresponding with two Departments.

3318. In what respect?—It is a practical inconvenience which it is very difficult to define exactly. We ought to know exactly in the Department what our consuls are doing; they ought to do nothing without our knowledge. It is very hard to define or explain what the inconvenience is, but we who are working the Department feel it.

3319. Mr. *Layard.*] It has been suggested to the Committee that the consuls and our diplomatic agents abroad might communicate with the Board of Trade, and the Board of Trade with them, under flying seal; do you see any objection to such a system?—There would be nothing gained by it if letters are to be sent under flying seal to us, and if we are to pass judgment whether we shall allow those letters to go forward or not. If those letters contained anything of the least consequence they would have to go in their regular course, as a letter from the Board of Trade would have gone, directly to the Secretary of State. If it were a mere matter of getting information upon a commercial detail, I should of course not send that to the Secretary of State.

3320. Lord Malmesbury has suggested to the Committee that there might be established a distinct class of communications from our diplomatic agents and from our consuls, docketed "Commercial," so as to separate the commercial correspondence altogether from the political; have you any objection to such a system?—I have not the least objection to our consuls or anybody else docketing the despatches "Commercial" or "Political" generally. We do that in some respects with some of our eastern consuls; the commercial part goes into the Consular Department, and the political part goes into the Political Department, as political correspondence. But then I should say that the consuls in the East are more or less political agents; and the system therefore applies only to some of our consuls; but, even limited as it is, we find that it very often puzzles the consuls; they constantly write upon commercial subjects in their political despatches, and upon political subjects in their commercial despatches; then the correspondence of that particular consul gets into confusion in the office.

3321. At the present moment, then, there is that system prevailing to some extent in the office?—At the present moment there is that system as regards the Eastern consuls and some others; there are exceptions. Mr. Perry, at Venice, I believe, divides his correspondence.

3322. In fact, those consuls who have political functions do make a distinction now, and docket the despatches "Political" and "Commercial?"—They docket them "Political;" they do not put "Commercial" on the outside; everything that is not marked "Political" goes into the Consular Department.

3323. Do you see any objection to that system being extended to all diplomatic servants and consuls?—I confess I would rather not encourage the consuls to write what we call political despatches, because they would immediately think themselves political agents, and we should very quickly get into hot water all over the world.

3324. Lord Malmesbury's suggestion was founded upon this: he thought that if despatches were thus docketed, the Under Secretaries would have no difficulty in the morning, when they received the despatches, in putting aside at once those which were docketed "Commercial," to send them on to the Board of Trade, before sending them to the Secretary of State; that then the Board of Trade would be able to make remarks or suggestions upon those despatches, so that they would go to the Foreign Secretary with those suggestions, and thus save the double process of going first to the Secretary of State, then to the Board of Trade, and then returning to the Secretary of State?—I should very much object to sending out a despatch containing any valuable information to the Board of Trade, without the Seretary of State seeing it; because, if we were to send it to the Board of Trade before the Secretary of State saw it, in the hope of getting remarks from them, they might not see occasion to remark upon it, or perhaps they might delay making remarks upon it (I am not imputing any blame to them), because they might wish to make inquiries upon it, and it might be some time, perhaps weeks or months, before it came back to the Foreign Office. Therefore, there might be a despatch from one of Her Majesty's Ministers coming into the Foreign Office, of which the Secretary of State would have no cognizance until it came back from the Board of Trade, whenever that might be. I do not think that a good arrangement.

3325. You do not think it would save time?—In one way it might; but it would be a very injurious thing for the general work of the Government, as connected with the Foreign Office. I cannot conceive anything more injurious than a system like that which would pass the Secretary of State by. Even now, when Lord Russell has been a great deal occupied with those conferences, and I have often taken upon myself to pass things on without submitting them first to him, I always find it necessary to tell his Lordship of them, that he may be perfectly aware of them.

3326. That is done by both of us, is it not?—Yes; that is done by both of us, with a view to expedite business.

3327. Lord Malmesbury stated it as an objection to the present system, that the Under Secretary has to read the despatches when they are received, which takes some time; that then they are sent on to the Secretary of State, who sends them back to the Under Secretaries, and thus three or four days are lost. Is it not the case at present with regard to yourself, and myself also, that we generally send all the despatches on in the morning, by ten o'clock, to Lord Russell, and get them back from him by one or two o'clock, and then any despatches which ought to go to the Board of Trade, would go either that evening, or early the next morning?—If there were anything urgent for the Board of Trade, it would probably be there before the Board of Trade closed that afternoon; of course, if a matter is not of great importance, there may be other things of more importance, and it takes its course with the rest of the business of the De-

E. Hammond, Esq.
1 July 1864.

partment. But anything that required their decision immediately, would be sent at once to the Board of Trade, as would also anything of immediate interest. I may mention as an illustration, that last Sunday there came to me, at my own house, between one and half-past one, a telegram, which I saw would interest the Board of Trade very much, announcing the intention of the Danish Government, as regards the blockade. I had no clerk with me, but I sat down and wrote a letter, and sent it off by two o'clock. This morning a telegram came in, and when I got to the office I found a note from Mr. Layard saying, "Pray look after that." I asked what had been done with it, and I found that it had gone to the Board of Trade already. I think that shows that a thing requiring immediate attention is despatched promptly.

3328. Mr. Mallet stated, in his answer to Question 2457, "The Foreign Office has, on being asked the question, expressed a wish that as a rule we" (the Board of Trade) "should not make public any information which may reach us in any other way, except through them; and, as a rule, we observe that principle." Are you aware that any such intimation has been given by the Foreign Office to the Board of Trade?—I have made every possible inquiry I can, and I can find nothing of the kind; but I think I may explain it. In fact, the only thing we have of the kind, is an objection raised by the Board of Trade itself to publishing things of this sort. The Board of Trade, in March last, asked us about the publication of some decree, with respect to Spanish wool, which had appeared in the "Moniteur." They stated to us that, in the opinion of the Board of Trade, "the decree in question ought to be made public in this country, without further delay, if it has been received from Her Majesty's Minister at Madrid." Therefore implying that their opinion was, that though this appeared in the "Moniteur," it ought not to be published unless it had been received through the diplomatic channel. I should be glad to explain the matter, because it involves the principle which has been raised in this Committee. The Board of Trade, in April, sent us a communication, which had been made to that Department by the Russian Consul General, stating that, with the concurrence of Earl Russell, they proposed to notify it in the "Gazette." Our answer to that was, that "no report has been received from Her Majesty's Ambassador at St. Petersburg, as to the establishment of a Custom-house at Sebastopol," and that Earl Russell was of opinion "that it would not be advisable for the Board of Trade to publish any communication from a foreign agent, unless it is transmitted through this office in accordance with the established custom." The Board of Trade replied upon that, on the 19th of April, by sending another communication from the Russian Consul General, and in that letter they stated, "With reference to Lord Russell's suggestion, as to withholding from publication information derived from foreign agencies, other than communicated direct to this Board by the Foreign Office, my Lords are desirous to recall Lord Russell's notice to the existing practice of this department, of inserting in the 'Gazette' for the guidance of the mercantile body, such decrees and laws affecting trade, issued or passed by foreign Governments, as they find in the official gazettes of those Governments, before they have been received through the Foreign Office, or which have not been furnished by that department to this Board. In the event of his Lordship considering this practice objectionable, and that such publication should await the arrival of intelligence through diplomatic channels, my Lords would suggest that this Board should receive from the Foreign Office, official notice of such commercial laws, with as much promptitude and punctuality as possible, in order to ensure to the commercial community in this country, the earliest information as to matters affecting their interests abroad." In that letter the Board of Trade stated what they would do if we did not object to it. In the answer to that letter, we renewed our objection to the publication of anything received from a foreign agent, except through the Foreign Office; but we neither assented to nor dissented from their publishing anything from the "Moniteur." If the Board of Trade have any doubt about what we meant to say, a letter shall be written to them at once, saying that they may publish anything they find in the "Moniteur," but not information derived from a foreign agent, because it is clearly understood that no foreign agent has a right to, or can properly communicate with, the British Government, except through the Foreign Office. In this particular instance it was greatly irregular, and I have spoken about it, and the Foreign Minister to whom I spoke being the superior of the gentleman who made the communication to the Board of Trade, entirely concurred in my view, that it was not right that any subordinate agent of a foreign Government, should make a communication to the British Government, unless through the regular diplomatic agent of his court, who would make it to the Foreign Office. If we were to admit the consuls of foreign Powers to communicate with the Foreign Office, except through the diplomatic agents, we should get into all sorts of confusion and trouble.

3329. It has been stated to the Committee that a report upon the trade of Zanzibar was not published by the Foreign Office until two years after it had been received, whereas an extract from that report had been published in the Slave Trade Papers presented to Parliament by the Foreign Office; can you explain to the Committee how that omission took place, if it were an omission?—The fact was, that that report was not addressed to the Foreign Office at all; it was addressed to the India Office, and sent in copy by the Secretary of State for India to the Foreign Office; then it got into the Slave Trade Department; the Slave Trade Department naturally only looks to what concerns itself, and they took notice of that part which referred to slavery, and did not send it into the other departments of the office. That is rather an illustration of the objection which I raised to having any separate departments. If it had gone in as a consular paper to the Consular Department, they would have disposed of it by sending the commercial part to the Board of Trade, and the slave trade portion to the Slave Trade Blue Book.

3330. The consul at Zanzibar is a consul appointed by the East India Government, and paid by the East India Government, and is not under the Foreign Office in any way?—I do not even know whether we correspond with him; he is in our list, but he is not our servant.

3331. We correspond with him only upon slave

slave trade matters?—That may be; he is not our servant.

3332. Therefore the omission to publish his report was from no want of attention upon the part of the Foreign Office?—No; I do not know whether what I have here is, strictly speaking, evidence, but I have been enquiring a good deal about the matter, and this is what the head of the Slave Trade Department tells me about it. "Colonel Rigby's Report of 1st May 1860, upon the trade of Zanzibar (addressed to the Secretary of State for India), was communicated to the Slave Trade Department, because there were several matters connected with slave traffic mixed up in it. I had the whole of the report printed, but only those parts of it which were connected with the slave trade were given to Parliament with the Slave Trade Papers. I cannot say how the papers were communicated to the Board of Trade, for I cannot find any trace of a letter to that department sending the report, either in the Consular or Slave Trade Departments. My impression, however, is that the report was sent in the first instance, in original, to the Board of Trade from the Consular Department, and I have a perfect recollection of having myself given one or more copies of the report in print to a gentleman from the Board of Trade, who applied for it. A second application was made (if I mistake not) to me for further printed copies, which I was unable to furnish."

3333. Is it not the fact that the India Office ought to have communicated that despatch to the Board of Trade, and not to the Foreign Office?—Certainly; as a rule we do not consider ourselves bound to communicate to one office information we have received from another office. We consider that the Colonial Office, if they have information that interests the Foreign Office and the Admiralty, will send copies to both offices; it is our practice to do so, and I believe it is the practice of other offices. As a general rule, we do not think it any part of our business to send copies to the Admiralty of a letter received by us from the Colonial Office, the Colonial Office would do that themselves.

3334. In answer to Question 2732, Mr. Mallet has given a list of the consulates from which no commercial reports have been published, I suppose for last year, but he did not state for what period; can you explain to the Committee how that came to pass?—No; certainly it appears that a great number of those consuls have not reported; some have sent home their shipping returns in detail. At a good many places mentioned in that list there were vacancies; in some places the consuls were absent on leave; some are rather political than commercial agents, and do not generally report. I might state, perhaps, to the Committee, that we have only recently had occasion to look very closely to the omission of consuls sending home reports, because we have only recently undertaken the publication of the consular reports for Parliament. When we send our next volume out, which will be probably in about a month hence, to the consuls, containing the monthly collection of reports, we shall accompany it with an intimation that some of the consuls have not reported, and beg that more attention may be paid in future to doing so. There may be various causes; in some places they may not have anything to report, although that does not excuse them for not saying that they have nothing to report.

3335. I believe all these consulates and a good many more, have made full reports upon cotton, which have been sent to the Cotton Association?—That is true of all the consulates in cotton-growing countries. I will not be quite certain whether we did not in 1857 send a general circular to all the consuls; but since that we have confined our communications to cotton-growing countries, as far as regards that point.

3336. You do not happen to know how many reports we have received upon cotton, do you?—No, we are receiving them every day; as we receive them they go regularly to the Cotton Association, and the Cotton Association express themselves very grateful for the assistance we give them. We give them all the assistance we can; we feel as much interest in it as they do themselves.

3337. Mr. Behrens has stated that the consul at Paris has been done away with, and that his business has been handed over to the librarian at the Embassy; is that the case?—The consul at Paris still exists; Mr. Pickford is there, and has been there for 30 or 40 years.

3338. What do you suppose Mr. Behren's statement was founded upon?—It was a misapprehension, certainly.

3339. There has been, I think, a plan proposed for changing the present consular establishment at Paris?—Yes; it is not considered necessary to keep a consul at Paris, and some years ago it was thought that as we had a permanent officer there, in the way of a librarian (the present librarian is acting as Lord Cowley's private secretary, but he will, if Lord Cowley retires, eventually be only the librarian), that such duties as attestation, and so on, could be executed by the librarian, instead of charging the country with the expense of a consul at Paris.

3340. There is no necessity, in fact, for a consul at Paris?—We consider there is no necessity for a consul at Paris; Mr. Pickford's salary is 100*l.* a year, besides the fees; he has been a long time in the public service, and if we were to retire him now, it would be rather a hardship upon him, because we could only give him his superannuation upon a proportion of 100*l.* a year, which would be about 60*l.*, and he is an old man, I believe, of about 70 years of age.

3341. What is the rule of the Foreign Office as to the time of publishing the consular and the secretaries' commercial reports?—The rule is to publish them at the close of the Session; for instance, every report which came in from consuls up to yesterday will be laid before Parliament at its close, in fact, as soon now as they can be printed; a great portion of the Consular Reports are printed, and will be laid before Parliament as soon as we can get the rest set up in type, and can look through them; and the same with the secretaries' reports; everything received up to the 30th of June will be published at the same time; a great part of them are already revised, and in the printer's hands, and as soon as the rest have been set up, and I have had time to look through them, they will be distributed to Parliament, and to the Chambers of Commerce.

3342. You have heard the testimony which Mr. Lindsay has borne before the Committee to the good departmental arrangements of the Foreign Office, have you ever received a similar testimony

E. Hammond, Esq.

1 July 1864.

timony from any of the foreign agents in this country who have had an opportunity of communicating with the Foreign Office?—I mentioned one the other day, and I received another from the same person two days ago. I took down the expression, because I thought it was fair to the Foreign Office that it should be known; it was from Baron Brunnow; of course any one who knows Baron Brunnow knows from his previous experience that he is one of the best judges of what a Foreign Office can or cannot do. His words were, "I am perfectly astonished at the perfection of the work completed by the Foreign Office in so short a time." That only instances the organization of the department; but it is fair that I should explain what that remark applied to: it referred to the long annexe to the last protocol of the Conferences, the first portion of which Baron Brunnow brought to me between two and three o'clock in the afternoon of Friday; he sent me the second portion not much before six that evening. At 11 o'clock that night it was clearly printed off and sent to the Under Secretaries, and to such of the foreign Ministers as required it. Although that was done, you may say, by mechanical process, yet it required great organization in the office to manage it. It was necessary also, in order to lay it before Parliament to have it all translated; I did not get it from Baron Brunnow as a perfect paper till about one o'clock the next day, and it was not in print till Monday, because of Sunday intervening; the original French, previously to its being presented to Parliament, had to be re-set entirely in new form, and yet it was all ready to be distributed with the rest of the protocols on the morning of the Tuesday, the protocol itself not having been finally settled and signed till two o'clock on the Monday. I think I may say it required a good deal of organization on the part of the Department to manage that, and that we deserved Baron Brunnow's enconium.

3343. *Chairman.*] In the early part of your examination to-day, you quoted a letter from Mr. Cobden with regard to the disadvantage of public communications to the Foreign Office, expressing the wishes of the manufacturers; I suppose you are aware that an opinion similar to that was expressed in a memorial that was sent in by the Association of Chambers of Commerce to the Foreign Office in February of this year?—Yes, I have no doubt, if you have the paper before you, it was so; I do not remember it.

3344. The memorial says: "The present movement throughout the Continent of Europe towards free trade (consequent on the reduction of its tariff by the French Government) makes it especially necessary that our Government should give constant and unremitting attention to all questions connected with foreign tariffs (especially to any changes that may be contemplated in them), and should be ready to take prompt action on information obtained: while at the same time it makes it especially undesirable that English manufacturers should find themselves compelled, by want of such prompt action, to make in Parliament, or through the press, such public expression of their wishes as tends to their defeat, by alarming manufacturers abroad:" are you aware that one great reason why the mercantile community think that there ought to be a better arrangement between the two offices is, that they are compelled to that publication of their wishes, which they feel is an injury, by the defects of the present arrangement?—I do not know why a thing is more public if it goes to the Board of Trade, than if it goes to the Foreign Office; both Departments are equally confidential.

3345. Are you aware that there is a general concurrence of opinion in the mercantile body in accordance with the letter of Mr. Cobden, that it is a disadvantage that there should be public action, and that one reason why they were anxious for this Committee was, that they hoped there will be a removal of the necessity in future for such publication?—I am aware of the statement; how far the statement is a sensible one, is quite another thing.

3346. I understood you to say in reply to Mr. Layard, that you have ascertained that the mode of carrying on the commercial business at the Foreign Office in Paris, was similar to the mode in which it is carried on by your office?—What I said was that they were in constant communication upon all matters with their Board of Trade. I did not say that there was not a commercial branch in the Foreign Office; what I believe I said in my former evidence, and what I am ready to repeat now, is that they do not decide upon any general commercial question without communication with the Board of Trade; they are constantly in communication with their Board of Trade; I mean by their Board of Trade, the Ministry of Commerce.

3347. I understood you to give an answer with regard to their carrying on business in the same way as your office does to the effect that they have the same arrangements in regard to communication with a foreign Minister, requiring, for instance, that our Minister in Paris should be only in communication with the Foreign Office, as you do here?—Yes; I say so on the authority of Lord Cowley, and I think I could have no better authority.

3348. I am not to understand that you meant your answer to say that they have any regulation in their Foreign Office which prevents the Ministry of Commerce corresponding with the consuls, or diplomatic agents?—The Ministry of Commerce does not correspond with their diplomatic agents, nor with their consuls.

3349. Are you sure of that?—I have a letter here which authorises me to make that statement. The French Foreign Office is alone authorised to correspond directly with French diplomatic agents abroad, or with foreign representatives accredited in France. In all questions, whether commercial or not, which involve the necessity of communicating with a foreign power, even if it be only for the purpose of obtaining some simple piece of information, the Ministry of Commerce, as well as every other Department of the Administration, is obliged to have recourse to the Foreign Office, which decides whether such communication is advisable or expedient. One Department alone, the Ministry of Marine, has the power of corresponding directly with the agents of the French Government abroad on the subject of certain special matters which concern the merchant service, such as questions of salvage, compensation for damages, payment of seamen's wages, &c."

3350. Am I to understand from that, that you give it as your belief that the French Office does not correspond with the French consuls or with the French diplomatic body upon matters connected

nected with trade?—Yes, certainly; this is, I may say, information that we have obtained from our Embassy at Paris: "There is in the French Foreign Office a Department specially charged with matters of trade. This department is called 'La Direction des Consulats et Affaires Commerciales,' and is divided into three sub-departments (sous-directions), namely, first, The sub-direction for the south and the east; second, The sub-direction for the north; and third, The sub-direction for America, India, and China. The staff of the Commercial Department is accordingly composed of one director-in-chief, and three sub-directors. To each sub-director there is attached one principal clerk, called a 'rédacteur,' two senior clerks, three assistant clerks, and a certain number of supernumeraries. The business of the Commercial Department of the French Foreign Office is to examine and watch all commercial questions arising abroad; to draw up, and if necessary, to interpret treaties of commerce and navigation, and all conventions relating to copyright; to the connection of French with foreign railroads; to international telegraph, and to the fisheries; to submit to the Minister such measures as may be deemed essential for the protection of French commerce with foreign countries; and to investigate and report on all claims or representations on commercial matters which may be addressed to the French Government by that or other countries. The financial accounts of the consulates and of consular agents and dragomans, are also under the control of the Department. In all the above questions (with the exception of that last mentioned) the Foreign Office acts in concert with such other Departments of the Administration as may be concerned in the matter. For instance, it acts in concert with the Ministries of Commerce and Finance in questions relating to the negotiation of interpretation of treaties of commerce and navigation; with the Ministry of the Interior in questions relating to literary property or copyright, and to international telegraphs; with the Ministry of Public Works in questions relating to French and foreign railroads; and with the Ministry of Marine in matters concerning the fisheries."

3351. Is that information contained in an official publication?—It has been printed privately at the Foreign Office. The title of this paper is "Reports from Her Majesty's Ministers at the Principal European Courts as to the Relations between the Foreign Office and the Ministry of Commerce in the Countries in which they reside." When this Committee was first moved for, we thought that that particular point would interest the Committee very much, and we sent instructions to our Ministers at the various Courts to obtain information upon it.

3352. Will you hand in that paper?—Yes. (*The paper was handed in: vide* Appendix.)

3353. The correspondence of the consuls and of the diplomatic body is entirely with the Foreign Office upon matters of trade in France; but there is the fact that the Foreign Office has within itself a commercial department?—Yes, it is a mere departmental arrangement.

3354. In that respect the Foreign Office in France is different from the Foreign Office in England?—Yes.

3355. Consequently there could be no reason why the consuls and the diplomatic body should correspond on trading matters with the Minister of Commerce in Paris, inasmuch as there is a commercial department in the Foreign Office at Paris?—Yes. I presume that they communicate regularly with their Minister for Foreign Affairs. That, after all, is a question of mere departmental arrangement as to the way in which each country may think it desirable to manage the department. In addition to that, of course, in this country, there is always a little question about expense. The clerks in the Foreign Office at Paris, I believe, amount to nearly 100; ours are, all told, 57. Of course their salaries are not so high, but still their numbers are enormously superior to ours.

3356. I think, in reply to the question of Mr. Layard, in which you stated that you did not wish the Committee to suppose that you did not consider it was the business of the staff of the Foreign Office to have full information upon commercial questions, and that you considered that they had such information, you stated that you did not think it was necessary for them to have information with regard to the details of tariffs?—Yes, they are not competent to acquire it.

3357. Could you inform the Committee what there is of importance in anything relating to a tariff that is not detail?—If you look at that commercial convention which I handed in just now, you will see there some stipulations of extreme importance; take this supplementary treaty with France, for instance; it contains, to begin with, a very important arrangement, how a certificate of origin should be given; that was a very important arrangement for every person having to do with commerce. Then there is a very important arrangement providing that the importer of machines and mechanical instruments, and articles of that description, should be exempt from the obligation of producing at the French Customs models or drawings, that having been felt to be a very vexatious thing, I believe. Then there was a very important arrangement providing for the manner in which duties should be levied upon warehoused goods; that was not in the tariff. Then there was a very important arrangement about the settling of disputed questions of valuation by experts, and the choice of an umpire in disputed cases; all these matters could only be provided for in the Convention.

3358. Am I to understand that such a question as that with regard to warehouses, you would not consider one of detail upon which the Foreign Office was bound to have information?—It was a question of principle which we should look after in the Foreign Office. As it happened, I believe that particular article was put in at the Board of Trade, but it was one of those matters which, if it had not been put in by the Board of Trade, we should have put in ourselves.

3359. In such a case as that, you would consider that you had within your own department a knowledge sufficient to meet it?—I should imagine that we should have considered that a provision of that kind was necessary, but we should have communicated with the Board of Trade for their opinion, whether it was necessary, and probably have stated the grounds upon which we thought it was so.

3360. Are you not aware that, important as those provisions may be, they are of far less importance in that supplemental Treaty than the tariff that was levied upon the goods?—I think that the two hang very much together, because disputes may arise in the carrying out of the tariff, and those disputes must be judged and determined by the text of the Treaty. It is that very

E. Hammond, Esq.

1 July 1864.

very particular point about the text of the Treaty which is now in issue in the case I quoted the other day, with respect to the petroleum and the sewing machines. That question turns upon an article of the Treaty. We communicated with the Board of Trade upon it, and the Board of Trade asked us to take the opinion of the law officers upon it. It is now before the Board of Trade to know what shall be done on the opinion given by the law officers. The question all turns upon those two articles about experts and umpires.

3361. I understand you to say, that supposing the plan was adopted of the Board of Trade being put into direct communication with the diplomatic body under flying seal through the Foreign Office, there would be no real alteration from the present system?—Certainly; there would be no real alteration, so far as regards expedition of business; I think it would not expedite business at all, but very much the reverse probably.

3362. Do you send on the letters you receive from the Board of Trade, making inquiries respecting details, the information about which is to be given by the Ministers abroad, as they are written, or do you put them into your own words?—With respect to a question asking merely for information about an article of a tariff, in all probability we should put it into our own words. In respect to a letter from the Board of Trade of a more general character, we sometimes send the copy of the letter from the Board of Trade for information and guidance; but as I said in my evidence before, I consider that a very idle way of doing it; I think it is much better to turn the letter into a despatch from the Secretary of State than to send a copy of that letter abroad. If we do turn it, we treat it just as we do the law officers' reports; we take it textually. It only goes directly from the Secretary of State. The difference is this: if we were to send a letter from the Board of Trade we should say, "I transmit herewith, for your information and guidance;" whereas, if we turn the Board of Trade letter into a despatch, we should say, "I have to acquaint you that Her Majesty's Government have considered the matter," so and so, copying really textually the letter of the Board of Trade. That, again, is a question of mere departmental form.

3363. For instance, in the first page of the correspondence with regard to the commercial treaty with Italy, there is a long and very important letter from the Board of Trade of 18th February 1862; was that letter sent on in its original form?—I really cannot undertake to say how a particular letter was disposed of at this distance of time.

3364. You cannot tell me when and how the information contained in that letter was sent on?—Without referring, it is perfectly impossible for me to do it. If I was to attempt to carry in my head every letter that passed through my hands in the course of a day, I should be driven mad in a week. If you want the information, I will find it out and furnish the information, but I will not answer a question as to a date or a special fact of that kind, without referring to the register.

3365. Mr. *Layard.*] As a general rule, communications from the Board of Trade, which relate to a matter pending with a foreign country, are sent to the Minister representing this country in that State, are they not?—As a general rule it is so; but whether any official paper has been sent on, or how or when it has been sent on, till you let me see the registers, it is impossible for me to say. The letter which was alluded to was written two years ago.

3366. *Chairman.*] I understood you to say in reply to Mr. Layard that the rule was, that the communications which had to be forwarded to the Board of Trade were sent on the day you received them?—I do not think I said that, exactly. I said that if a matter was important it would be sent on immediately, but that if it was unimportant it would take its turn with the rest of the business of the office.

3367. You will remember, that in reply to Mr. Layard you stated, that "the Bradford Memorial with regard to the Franco-Swedish Treaty was received at the Foreign Office on the 14th November 1863, and sent to the Board of Trade on the 5th December"?—Yes.

3368. You will also remember, probably, your answer to the next question of Mr. Layard, in which you say that the Spanish Bill or project of law, with regard to Customs reform was sent home and received at the Foreign Office on the 1st of February, and sent to the Board of Trade on the 26th?—Yes.

3369. Referring to the correspondence with regard to Italy, I find on looking over this correspondence, that generally speaking three or four days appear to have elapsed between your receiving despatches and forwarding them to the Board of Trade?—There may be three or four days; but the question is, was the thing of such very urgent importance, that all other business at the time should be put aside in order to despatch that particular letter; in addition to that, the Bradford memorial which you quoted, was a sort of thing which I should not send on to the Board of Trade without its being submitted to the Secretary of State, and the Secretary of State may have been pressed with other business at the time; but as a general rule, there is no delay in executing the business of the Foreign Office. I do not mean to say, that in the mass of papers that pass through our hands, considering the occasions of great pressure which come upon our department, there may not be a delay of one, two, three, or even more days in the case of any particular paper; but as a general rule, papers are forwarded immediately to the departments which they concern. I can only state that as a general rule; it is impossible to say it of every paper.

3370. Mr. *Turner.*] I do not quite clearly understand how it should not facilitate the business of the country generally, if the diplomatic agents and consuls abroad were to divide their correspondence into heads, as Lord Malmesbury suggested, indorsing some "Political" and others "Commercial," so that as soon as the Foreign Office received those commercial despatches which concern the Board of Trade, the Under Secretary might be able at once to forward them to the Board of Trade without referring them to the Secretary of State?—The primary objection to that would be, that you would entirely debar the Secretary of State from all knowledge of what was passing with regard to commerce in foreign countries, if you passed him by in sending on the despatches as they were received.

3371. If it was a matter of very great importance, I apprehend that you would stop that despatch and send it to the Secretary of State; but

but if it was a matter of minor importance, and there are a great many such matters, it would be forwarded at once by you, possibly, to the Board of Trade, and a good deal of time would be saved by that arrangement, as compared with the system by which those despatches are all referred to the Principal Secretary of State, and then come back to you, and then you have to pick out the commercial from the political part of them, and send it on to the Board of Trade?—The picking out takes very little time, because the despatches come to me in the morning, and, as I read them, I mark them "Board of Trade," and, directly they come back from the Secretary of State, they go into the department, and are disposed of as soon as the business of the department permits, without any delay. I do not think that it would be right or proper, or what the country would expect, that the details of a printed paper, saying that such and such a thing had been done, should be kept from the knowledge of the Secretary of State. There was a case the other day in point: a notice appeared in the "Moniteur" a few days ago, saying that the treaty which has been in negotiation between France and Switzerland had been what they call "*parraffé*," that is to say, not exactly signed, but agreed upon. It would be very desirable for the Board of Trade to have notice of that announcement, and yet it would not have done to keep it from the Secretary of State. But according to this proposal, it would have come in a despatch marked "Commercial," and then it would never have gone to the Secretary of State; it would have gone at once to the Board of Trade. The Secretary of State would therefore have been ignorant of it, and he might have been asked in Parliament that night, "Is the treaty signed?" and would have known nothing of it.

3372. The suggestion was that those despatches should come open through the Foreign Office, and of course if there was anything of this sort that required communicating, it would be communicated before the despatches were passed on to the Board of Trade?—That would cause so very trifling a saving of time that it would be hardly worth while to alter the system.

3373. One of your observations was that a matter of great importance was forwarded the same day, and, in fact, almost immediately; the feeling in the country is that there are very often matters of urgent political importance which come by the same despatches as matters of trade of considerable importance, and that in such cases the political matters are attended to, and the trade matters are pushed on one side. Supposing they came in separate despatches, would not the matters be divided in your mind, and in the mind of the Secretary of State, better than if they came in the same despatches?—I can only answer for my own mind, certainly not.

3374. *Chairman.*] I think I understood you when you were first examined to state that it was a very strict rule of the Foreign Office that no minister or consul should write on two subjects in one report; is that altogether consistent with what you have just stated in answer to the last question?—I understood the question to apply to a bundle of despatches relating to two subjects; not to one despatch relating to two subjects. For instance: take a bundle of despatches; one despatch relates to political and another to commercial matters; the rule is as you stated it, that each despatch should be confined to one subject.

3375. Sir *Minto Farquhar.*] Which of the under Secretaries particularly looks after the consular department in the Foreign Office?—The Assistant Under Secretary has the immediate superintendence of the consular department, but anything beyond mere routine comes to the respective Under Secretaries, according to the countries to which it relates, just as the political business does.

3376. As the great desire of all the witnesses who have been called on the part of the commercial bodies seems to be to accelerate the communications between the Foreign Office and the Board of Trade, do you not think that it would be possible in the Foreign Office that all commercial communications should be marked "Commercial," and sent to the Assistant Under Secretary, who has the superintendence of the consular department, and that he should be able at once to forward anything which was marked "Commercial," which did not require the instant supervision and knowledge of the Secretary of State, to the Board of Trade?—If that plan would throw more labour on the consular department than it has now, I should think it objectionable, for it has quite enough to do, and that additional labour would break it down. To revert to what I said before, I think it is very undesirable to let a habit grow up in the office, generally, of thinking that the several divisions have no concern in matters of commerce; that directly they see the despatches from Paris, or anywhere else, marked "Commercial," they are to throw them into the consular department, and never know anything more of them.

3377. You do not think that the communications would be hastened in the least degree by having any fixed department or division of the Foreign Office to deal with these matters specially?—On the contrary, I think it would have a tendency to prevent despatch. The Foreign Office is now divided into six political departments, and each of those departments can deal separately with anything that may come in, in the course of the day. But supposing that a number of commercial reports from different missions were to come in and to be thrown upon one consular division to be attended to, in addition to their ordinary work, it would be necessary either to delay sending on such reports at once, or allow all the rest of their work to get into arrear. It is a mere question of division of labour. We now put six departments to do the work which it is sought to saddle one department with. I maintain that 24 men will do the work quicker than four.

3378. Supposing that there were one particular individual in the Foreign Office whose particular interest it should be that upon all questions of commerce that came to the office he was responsible for seeing that the communication was immediately sent on to the Board of Trade, what do you consider would be the effect of such an arrangement?—I do not see that we should gain in that way; we have now six men each severally responsible for the same thing in their respective divisions. In each division each senior clerk is responsible for doing the work that you want to throw upon one.

3379. You mean that in each separate division there are persons whose duty it is when they get a despatch marked "Commercial" at once to send it on?—What I mean is this; the senior clerk in each division is responsible for the execution of the entire duties which devolve upon that division.

E. Hammond, Esq.

1 July 1864.

I look to him, I do not look to the junior clerks to see that those duties are discharged.

3380. Mr. *Butler-Johnstone.*] You say that it is undesirable that the clerks in the Foreign Office should not have cognizance of and knowledge upon commercial matters, but if all action upon commercial matters was taken out of the hands of the Foreign Office and given to the Board of Trade, why would it matter if they had not that knowledge?—Commerce and politics are a good deal blended together in our relation to foreign countries.

3381. Sir *Minto Farquhar.*] Did I understand you to say that you think that the clerks should not have a knowledge of commercial matters?—Quite the contrary, I contend that they should.

3382. Mr. *Butler-Johnstone.*] It has been suggested by Lord Malmesbury, and others, that the despatches should be docketed "Political," and "Commercial," and that those docketed "Commercial" should be sent to the Board of Trade. And there is another proposition of a similar kind, as far as this point is concerned, by which it is proposed that the Board of Trade should take action in these matters. What objection is there to leaving the clerks without any cognizance of commercial matters, the object of both these propositions being to hand over such matters to the Board of Trade for them to take action upon them?—I do not think that it is desirable to limit the knowledge of the clerks in the Foreign Office. Everything that passes in a foreign country ought to come more or less within the cognizance of the clerks. By the course which you describe, you would naturally bring about that which, as I understand, this Committee deprecates as much as possible, namely, that the Foreign Office shall have no knowledge of, or interest in, commercial matters.

3383. At present the Foreign Office takes action in commercial matters, does it not?—Yes; directly we begin to communicate with a foreign government, the matters must come through the Foreign Office; and, therefore, if the clerks come upon the thing in perfect ignorance of commercial questions, it would be attended with disadvantageous results.

Mercurii, 6° *die Julii*, 1864.

MEMBERS PRESENT:

Mr. Bazley.
Mr. Somerset Beaumont.
Mr. Cobden.
Mr. Seymour Fitzgerald.
Mr. William Edward Forster.
Mr. Milner Gibson.
Mr. Kinnaird.
Mr. Layard.
Sir Stafford Northcote.
Mr. Pender.
Mr. Charles Turner.

WILLIAM EDWARD FORSTER, Esq., IN THE CHAIR.

The Right Honourable EDWARD CARDWELL, a Member of the House; Examined.

Right Hon. *E. Cardwell*, M.P.
6 July 1864.

3384. *Chairman.*] WHEN were you President of the Board of Trade?—In 1853 and 1854.

3385. Had you been Vice President before that?—No.

3386. I have no doubt that you are sufficiently aware of the object of our Committee to know that it results from a feeling in the mercantile community that the necessity of having to consult both the Foreign Office and the Board of Trade upon foreign commercial questions leads to some delay, and possibly to inefficiency. The object of our Committee has been to discover whether there is that feeling, and if so, how it can be removed. In the evidence that we have had before us, some of which I believe you have read, Mr. Mallet, who is a very well-informed official of the Board of Trade, made a statement with regard to your views at the time when you were President; have you read that statement?—Yes.

3387. I understand from it that at that time you thought it was desirable that the Board of Trade should be made less a consultative office, and that the Foreign Office should contain in its own department the information which it now obtains from the Board of Trade?—My view was this: in an earlier period of our commercial history (I speak chiefly of the time when the late Mr. Deacon Hume was the Secretary of the Board of Trade) the office of the Board of Trade was extremely useful, but rather peculiar. The policy of the country at that time was protective, and the feeling of the Board of Trade was in favour of freedom. The consequence was, that there was within the Government one department which preached the doctrines of good policy and good sense against the prevailing current of opinion in the Government and in the Legislature, which at that time was in favour, as I said, of the protective system. In the autumn of 1852, the House of Commons almost unanimously adopted the principle of free trade, which, from that period, might be considered to be definitely and permanently settled as the principle of our commercial legislation. I came into office immediately after that resolution had been adopted, and it appeared to me that the principal function of the consultative portion of the Board of Trade had terminated with that resolution. Mr. Gladstone and Mr. James Wilson managed the Treasury, and Lord Russell managed the Foreign Office; and it appeared to me that it would be a great waste, both of my time and, what was of much greater importance, of theirs, for me to enlighten them upon the proper mode of applying the principles adopted by Parliament to the management of their respective departments. There was a very important change in the tariff in the year 1853. As a Member of the Government, I was perfectly aware of all that was taking place, and had a full opportunity of expressing, if I liked, an opinion upon the subject; but I do not remember that Mr. Gladstone and Mr. James Wilson thought it at all necessary to consult the Board of Trade, departmentally, as to the changes which they made in the tariff. I believe that they considered, and justly considered, that they perfectly well understood the application of the principle of free trade to the British tariff, without any assistance from me. And similarly, with regard to the Foreign Office, I believe that the present Foreign Secretary, or any other Foreign Secretary, will, speaking generally, perfectly well understand what is the true principle to apply to the foreign relations of this country, with a view to their bearing upon commercial interests, and that they do not need to consult any other department, generally speaking, with a view to the application of those principles. Those were my views when I was President of the Board of Trade.

3388. I understand you by that to state, that you consider that, upon questions of principle, it would not be necessary for the Foreign Office to consult any other department; but this question comes before us: it is very difficult for the Foreign Office to conduct any negotiation or intercourse with foreign countries upon commercial matters in which details are not concerned; details of tariff, for example. Upon those points do you think that they might be able to obtain information from their own staff, or that it would be necessary for them to go to another department, and if to any other department, of course to the Board of Trade, for such information?—One great advantage of the principles of free trade is, that they are so exceedingly simple. There were complicated questions continually arising before, when there was a protective system, subject to perpetual exceptions, and it was quite an art and a mystery to read the Navigation Laws, and the numberless exceptions that had become gradually adopted into that system, and associated with it; but nothing is more simple than to apply the principles of freedom.

3389. I will take such a case as this as an illustration:

Right Hon. *E. Cardwell*, M.P.

6 July 1864.

illustration: when the kingdom of Piedmont was enlarged into the kingdom of Italy, a temporary tariff was applied to the whole of Italy; that tariff was, in some respects, higher upon British products, as regards part of the countries to which it applied; it was a case in which, without any interference with the principle of free trade, our Government had a right to make representations to the kingdom of Italy, to the effect that the result of Italy becoming a kingdom ought not to be to increase the duty upon English goods, at any rate without representation. In order to put that before the Italian Government, they required an exact knowledge of the mode in which those duties affected English goods; in such a case, do you think that the Foreign Office ought to have a staff within itself to be able to give them information, or do you think it necessary for them to consult another department?—My opinion is, that with respect to the principle, it is quite obvious that the Foreign Office would endeavour to obtain for British imports into Italy the greatest freedom they could. They would know, without the assistance of the Board of Trade or anybody else, how much freedom they could obtain, and, in my opinion, they would be much better judges of that themselves than any other department could be.

3390. In answer to arguments of that kind which have been brought before us, it has been stated by one or two witnesses, Mr. Hammond amongst others, that it was almost impossible for the Foreign Office to obtain that information within their own staff, and that they must know what the statistics are, and not only the statistics, but also the details of any particular trade that was affected, and of one trade in relation to another, before they could tell how to make their representations with that knowledge which would be likely to be effective with foreign countries; and that statement was that, even supposing a commercial department was established at the Foreign Office, it would not take away the necessity of still consulting the Board of Trade, in order to find out how any question of foreign trade was affected by domestic trade; you would not consider that that question would involve much practical difficulty?—No; I own that I do not feel much pressed by it. It seems to me that the inquiry must be made by somebody in either case, and it is quite as easy to have it made directly by the department which has to make use of the information, as to have it made by another department which has to communicate it to the department which is to make use of it.

3391. Are you aware that one complaint which has been made by the merchants and manufacturers, and chambers of commerce, throughout the country is, that they fear that the system being for them to give information to the Board of Trade, and for that information to be conveyed from the Board of Trade to the Foreign Office, the information does not arrive with that amount of force at the department which has to conduct the negotiation, which it would have if it was conveyed directly?—I was not aware that any such complaint was made; but without implying the slightest censure upon any department, I think you may take it for granted that, to put into the hands of two people that which can be done effectually by one, is almost a certain way of rendering the transaction of the business less rapid and effective.

3392. Another suggestion that has been made before the Committee is, that if it be found from general reasons difficult to make the Foreign Office self-sufficing, and that it would be still necessary for them to consult another department, then that other department should have more authority to make its representations listened to, than it has at this time, or, in other words, that the Board of Trade should be elevated into a greater equality with the other departments of the State; have you any opinion upon that, supposing that the Board of Trade still remains a consultative body?—I should say that there was a great difficulty in giving to a second department anything like a control over the servants of the first. There is a remarkable instance in which two departments work very well in the Board of Trade itself, because the Customs officers render very essential and valuable service in the working of the Merchant Shipping Act. They correspond with the Board of Trade upon that subject; but great care is taken that the Custom House officers always regard themselves as being what they really are, the servants of the Board of Customs and the Treasury, and not subject to direct authority and control from the Board of Trade.

3393. My last question chiefly applied to this; it seems to be brought out in evidence that the Foreign Office consults the Board of Trade upon a commercial matter at its discretion, it is its rule to do so; but it is at its discretion that it consults it; it follows its advice at its discretion; it gives it the reasons why it does not follow its advice at its discretion; all that seems to imply that the Board of Trade is not considered upon an equality with the Foreign Office, and if they have an opinion upon commercial matters which the Foreign Office has not, it is not made a Cabinet question whether that opinion should be followed or not. The suggestion has been made that if the Board of Trade remains the consulting body, which is to give advice to the Foreign Office upon trade matters, it ought to be put more upon an equality with the Foreign Office, and that, at any rate, it should have to give to the Board of Trade the reasons why it does not follow its advice; what is your opinion upon that?—I think it is very important that the public servants should have a distinct responsibility to a single department; I should exceedingly deprecate any change which made our Foreign Ministers and our Foreign Consuls think that they were responsible to anybody except the Secretary of State.

3394. The proposition is this: the Secretary of State for Foreign Affairs has to conduct some negotiation; he wishes for information and advice; he consults the Board of Trade; he receives its reply either by letter from a permanent official, the Secretary of the Board of Trade, through his own Under Secretaries, or he receives it personally, or by letter from his colleague, the President of the Board of Trade, but it does not appear to become a Cabinet question; if, after having received that information, the Secretary of State for Foreign Affairs does not think it right to act upon it, do you not think that the Board of Trade should be put upon an equality with the Foreign Office, so that if it has its own opinion upon commercial matters, and that opinion differs from that of the Secretary of State for Foreign Affairs, there should be an appeal to the Cabinet?—I do not know that the Cabinet is a sufficiently recognised official body to be made the subject of a discussion of this kind; I think

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it must depend entirely upon the relations between the Foreign Secretary and the President of the Board of Trade how far they will communicate with each other, and how they will decide any question on which their opinions may happen to differ.

3395. Do you think that there is any advantage in that department which looks after the interests of trade being a Board rather than a secretaryship?—In point of fact it is not a Board; it is nominally a Board. I forget whether the Colonial Secretary is a member of it or not; he probably is; but in reality it is as much the department of the President of the Board of Trade as the Foreign Office is the department of the Secretary of State for Foreign Affairs.

3396. Is not there one result of its being a Board, that the second officer of the department, the Vice-President, has less definite functions than he would have if it was a secretaryship, and he was the Under-Secretary, and that, although in some respects his position is higher, yet he has less to do, and his services are made less available?—I do not think that it signifies very much by which of the two names you call him. He is technically President of the Board of Trade, in the absence of the President; but he is practically in the relation of being subordinate to the President, and has no authority at all antagonistic to, or enabling him to take any view different from that of, the President of the Board of Trade.

3397. Is it not the fact that he has less definite duties in his department than the Under-Secretary of any one of the departments, at the head of which is a Secretary of State?—Yes; I think it is rather so in practice.

3398. I understood you to say that you thought there would be a great objection to putting the Consuls or Foreign Ministers, in any respect, under two masters; that objection seems to have been felt by almost every well-informed person who has given evidence upon the matter; but it has been thought that that objection would be practically removed by the correspondence between the Board of Trade and the diplomatic body, whether Consuls or Ministers, being conducted through the Foreign Office, and under flying seal, so that if the Foreign Office found that there was any collision whatever, they could state so to the Board of Trade, and prevent it; do you think that that would meet the objection?—No; I think that anything which diminishes the responsibility of the Secretary of State for the conduct of foreign negociations, or divides that responsibility, would be objectionable.

3399. Sir *Stafford Northcote.*] The Board of Trade has, of late years, become a much more executive department than it was formerly, has it not?—Yes, very much.

3400. Do you think that it is convenient, as regards the internal administration of the Board of Trade itself, that it should be divided into two departments, one distinctly consultative and the other distinctly executive?—No, I think certainly not.

3401. Mr. *Layard.*] Have you read the evidence which has been given before this Committee by Mr. Hammond, and others who have given evidence in favour of having a commercial department in the Foreign Office?—No; I have had no opportunity of reading any portion of the evidence taken before this Committee, except a small portion to which the Chairman was kind enough to direct my attention, in which my name is mentioned, and to which I have referred this morning.

3402. Therefore, you are not aware of the objections which have been submitted to the Committee on the part of the Foreign Office to having a commercial department there?—No; so far as my evidence is of any value, from special acquaintance, it is exclusively derived from my knowledge of the Board of Trade.

3403. The Chairman put a question to you with regard to the change in the Italian tariff; there may have been two distinct questions concerned in that case; there may have been a question of principle and a question of detail: upon the question of principle the Foreign Office would be well able to judge; as regards questions of detail, for instance, whether jute, which is one of the articles mentioned before the Committee, was to be admitted at a less rate or not, could the Foreign Office be supposed to give an opinion?—Of course the principle, that we should get everything as low as possible, is admitted on all hands, and my opinion is, that if the Board of Trade gave an opinion as to the value of some particular concession, they would derive that opinion from one of three sources, either from diplomatic and consular papers, which they would have received from the Foreign Office, or from the Statistical Department, or from communications with commercial bodies. My opinion is, that any one of those three sources of information is just as open to the Foreign Office, acting directly, as it is to the Foreign Office acting intermediately through the consulting department.

3404. Would you suggest that the Foreign Office should have under it the Statistical Department of the Board of Trade?—No, certainly not.

3405. Is it your opinion that the Foreign Office should consult the Statistical Department, without going through the official form of consulting first, the President of the Board of Trade, or the officials of the Board of Trade?—They have no need to consult the Statistical Department at all. What they have to consult is, the statistics which are printed and published by the Statistical Department.

3406. With regard to the commercial bodies of this country, do you think it advisable that the Foreign Office should be in direct communication with them upon matters of trade?—Yes.

3407. Do you think that the Foreign Minister, whoever he might be, would hold himself responsible for deciding upon questions of trade of that kind?—I think that the Foreign Minister would be much more likely to come to a right conclusion, and to give full effect to that conclusion, if he acquired his knowledge directly from the parties interested, than if he acquired it indirectly through another channel, and as the result of official correspondence.

3408-9. Do you think that that part of the Board of Trade which is to be left, after this disjunction takes place, should have the power of communicating directly with the Consuls and Diplomatic Agents abroad?—No.

3410. Are you in the habit, at the Colonial Office, of consulting the Board of Trade?—Yes.

3411. Would you propose that a similar arrangement should be made at the Colonial Office to that which you propose at the Foreign Office?—My opinion, with respect to the Colonial Office, I trust, may be given with some diffidence, inas-

Right Hon. *E. Cardwell*, M.P.

6 July 1864.

much as my connection with it is very recent; but my opinion is, without at all disparaging the Board of Trade, that the Colonial Office ought to be able to come to its own conclusions upon commercial subjects, without consultation with anybody.

3412. Do your suggestions apply equally to questions of navigation and shipping, and to those connected with trade?—If you mean the commercial bearings of navigation and shipping, certainly; if you mean those detailed and multifarious executive arrangements which the Board of Trade in the Merchant Shipping Department transacts, I do not understand that they are in question here at all.

3413. Our commercial relations with foreign countries include matters of navigation and shipping, which are now dealt with by the Board of Trade, and upon which the Foreign Office consults the Board of Trade; would you have a department in the Foreign Office able to give advice and information upon those subjects?—I think experience has shown that the principles of freedom are just as applicable to shipping as to any other branch of commerce, and that there is no more difficulty in dealing with those parts of our commercial system which relate to shipping than with those which relate to the tariff.

3414. We are all agreed upon the principle of free trade, whether applied to commerce or navigation, and upon those questions the Secretary of State for Foreign Affairs would be as well informed as the President of the Board of Trade; but I speak now of the thousand small questions of detail which must arise in applying the laws of other countries to navigation, shipping, and trade; upon those points ought the Foreign Office to have a department able to advise and inform it?—If you mean questions which arise in foreign ports under foreign navigation laws, those are not questions of commerce at all. We are compelled to submit to their laws, however bad they may be, and I do not understand that the Board of Trade can give any more efficient assistance to the Foreign Office in unravelling any questions of an international nature which may arise from a bad law relating to shipping, than from a bad law relating to anything else.

3415. Take, for example, the case of a question arising with regard to a certain article in a tariff; mixed goods, for instance when a certain amount of cotton and a certain amount of worsted, or some other materials are mingled together, and the duties differ according to the relative proportion of the two materials. Questions continually arise of that kind; a merchant abroad writes to the Foreign Office, and complains of the duty raised upon those goods, asserting that they are not included in the class subject to such duty. Upon questions of that kind the Foreign Office transmits the complaint to the Board of Trade, and asks its opinion upon the nature of those goods. Do you suggest that, in the Foreign Office, there should be a department which could at once instruct the Secretary of State upon the nature of those goods, without referring to the Board of Trade?—The word "department" is a large word, and implies a great many people. I should think that if Mr. Mallet was at the Foreign Office he would be able to give as much advice to the Foreign Secretary upon that subject as would probably be wanted.

3416. Mr. Mallet has had the advantage of having been for many years in an official position at the Board of Trade, and having been educated there; would any other person who had not had that advantage be able to do it?—Mr. Mallet, in my opinion, would be able to do it much more efficiently if he were in the department, and if, upon any question that arose, there were no necessity for the delay and the circumlocutory process of official correspondence, than he is now, when he is on the other side of Whitehall, and when that correspondence is obliged to take place. And when Mr. Mallet shall no longer be in this world, any person who succeeds him would, in my opinion, do it infinitely better if he stood in that relation to the office than if he were placed in the Board of Trade.

3417. Do you mean that every successive officer in that department of the Foreign Office should be taken from the Board of Trade?—No, certainly not. If my advice were taken, the Consultation Department of the Board of Trade would cease.

3418. Sir *Stafford Northcote.*] You do not exclude, of course, the idea that the various departments would have to consult each other upon matters falling especially within the functions of those departments?—Certainly not. Take, for instance, the Colonial Office. We have continually to consult the Treasury upon financial matters, the Secretary for War upon military matters, and the Foreign Secretary upon affairs which raise questions of international relations. What I object to is the existence of a department which has no executive functions, and has nothing to do but to write dissertations and give opinions; that I hold to be exceedingly objectionable. I think that the persons who are responsible for giving effect to opinions are the persons who should mature, and form, and express those opinions.

3419. Then I presume that, if the Board of Trade continued as an Executive Department for the management of the mercantile marine, whenever a question arose at the Foreign Office, or the Colonial Office, affecting the mercantile marine, upon which it is desirable to have information from the Board of Trade, you would apply to them for that information?—Certainly.

3420. When you were at the Board of Trade, you were consulted, I think, upon the subject of the alteration of the sugar duties, were you not?—Yes.

3421. By whom were you consulted?—By the Colonial Office.

3422. Did you give an opinion upon that point?—A very able Governor, Sir Henry Barkly, wrote from British Guiana, of which he was then Governor, a Despatch expressing objections to the then existing graduated scale of sugar duties. The Colonial Office consulted the Board of Trade upon it, and we gave expression in strong terms to Sir Henry Barkly's objection, and gave advice to the Colonial Office to consult the other Colonies before coming to a conclusion, and also to remember that there was a great trade in refining, which yielded a large revenue in this country. I believe it was very good advice, but it appears to me that the Colonial Office were capable of discovering that they should communicate with the other Colonies, and of remembering that there was a large revenue raised from the refineries without any assistance from the Board of Trade. I may mention that, in the following year, when the Government unitedly came to a different opinion from Sir Henry Barkly's, though, as a Member

Member of the Government, I was perfectly aware of the change which Mr. Gladstone and Mr. James Wilson were going to make in the sugar duties, and entirely concurred in it, I do not remember, and I think it extremely improbable that the Treasury departmentally consulted the Board of Trade at all upon the subject.

3423. Mr. *Bazley.*] You have stated that, in the event of your needing information from the Statistical Section of the Board of Trade, you would not deem an interview requisite because you would obtain that information from a tabulated arrangement that exists in the department; but I would beg to ask how you would proceed in the event of new circumstances having arisen, and the information which you were seeking not being tabulated in the Statistical Department of the Board of Trade?—The able head and the able officers of the Statistical Department are always extremely ready to tabulate any information in any form that any department of the Government may desire. It would be the simplest affair in the world for the Foreign Office to write to the President of the Board of Trade a letter containing a statement of the information that they wished, and they would immediately receive that information. It would be information, in fact, and it would have nothing whatever to do with the opinion which, in my judgment, the Foreign Office would be quite capable of forming for itself.

3424. *Chairman.*] With regard to the Statistical Department, it is in a separate building from the rest of the department of the Board of Trade, is it not?—Quite.

3425. Was not it the case when you were at the Board of Trade, and is not it the case now, that it is merely under the Board of Trade as a branch office, and quite separate, in fact?—Yes; I think that is a very fair description of it. I think that, though it was connected with the Board of Trade, and though there is no reason that I know of why it should be connected in future with any other department, instead of being, as now, connected with the Board of Trade, it is a very fair description of it to call it a separate department.

3426. Then, there is a great distinction between a communication between any one of the departments and the Statistical Department for the purpose of getting facts, and the communications which you have been asked about between the Foreign Office and the Board of Trade upon matters of opinion?—Yes; I think that the whole Government is so constituted, that there must be communications when any department requires to obtain information from any other department, but that has nothing at all, in my judgment, to do with the retaining of one department which has no executive functions, and has no other duty than to give advice to other people.

Right Hon. *E. Cardwell*, M.P.

6 July 1864.

3427. For instance, if the Board of Trade were confined to its executive functions, which are now very considerable, it would be very likely that the Foreign Office and other offices would have to consult it, just as the Foreign Office and the Colonial Office have to consult one another?—Certainly. I may add, as you have spoken of the Executive Department of the Board of Trade, that I believe every year is adding most usefully to the functions ably discharged by that department; for instance, the Admiralty has recently parted with the jurisdiction over harbours, and given that jurisdiction to the Board of Trade. Its jurisdiction is growing, and if there were any changes to be suggested, it appears to me that the arduous labours of the Home Office are now unnecessarily increased by various branches of inquiry very cognate to those which are conducted by the Board of Trade, and it might be a very fair subject of consideration whether the Board of Trade might not usefully transact a larger part of those duties, for the relief of the Home Department.

3428. Mr. *Layard.*] I understand you to say that what you suggest is, that the consultative part of the Board of Trade should be abolished, and the executive part retained, and, if possible, ameliorated?—My suggestion certainly is that the Consultative Department of the Board of Trade, as a separate department of that office, should not continue, and that the policy which Parliament has hitherto adopted, of from time to time increasing the executive duties of the Board of Trade, is a sound policy, and very well worthy of being carried further.

3429. You would retain the present administrative form of the department by the President?—I think it is a matter of entire indifference, in regard to the discharge of the duties, whether you call the head of the department President, or whether you call him Secretary; he is, to all intents and purposes, the head of a large and most valuable Executive Department.

The Right Honourable THOMAS MILNER GIBSON, a Member of the Committee; Examined.

3430. *Chairman.*] YOU are now President of the Board of Trade?—Yes.

3431. How long have you been so?—Since 1859; since the formation of the present Government.

3432. You were at one time Vice-President of the Board of Trade, were you not?—Yes, in 1846 and 1847 I held that office.

3433. Your only connection with the Board of Trade has been your having been President now for some time, and having been Vice-President once before?—That is all.

3434. Your having been both President of the Board of Trade and Vice-President, enables you to state what is the precise relation of the President to the Vice-President of the Board of Trade?—The relation between the President of the Board of Trade and the Vice-President of the Board of Trade, in theory, I believe, is this; that formerly there was a Board which was to be presided over by the President, and in his absence, by the Vice-President, and I suppose that when the President was present the Vice-President was considered to be merely a Member of the Board. The actual relation now in practice is what may be arranged between the President and the Vice-President. The system of having Boards no longer exists; I did not find that there were any Boards when I came to the Board of Trade; but, by arrangement, certain business is placed more specially and more immediately under the care of the Vice-President, and other business under the care of the President.

Right Hon. *T. M. Gibson*, M.P.

3435. Were you present when Mr. Hammond gave to the Committee an account of the arrange-

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

ment that exists in the Foreign Office between the Chief Secretary and the Under Secretaries?—I think I was.

3436. Do you remember that in that arrangement it appeared that all the business that was conducted by the Foreign Office came in some measure under one of the two Under Secretaries; I understood that letters, or despatches, or business, came before one of the Under Secretaries, and that he reported upon it to the Chief Secretary, and that it came back to him again; is there any such arrangement between the President of the Board of Trade and the Vice-President of the Board of Trade?—To a great extent that system is carried on now at the Board of Trade, in consequence of the understanding that has been come to between myself and the present Vice-President. Most of the papers go before Mr. Hutt, and he makes his Minute, if he pleases, upon them before they are brought to me, but that has not always been the case. It depends upon the arrangement that the President may make. I think that the practice has been of later years to hold the President to be responsible, and to take his directions as to how the business shall be conducted, and as to the arrangements made between himself and the Vice-President.

3437. Is not the relation rather this, that in the Board of Trade the second officer is more in the position of being a Vice-President ready to take the place of the President when he is absent, than as he is in the Foreign, or Home, or Colonial Office, an Under Secretary who has his definite functions, subordinate to the Chief Secretary?—Quite so. The Vice-President of the Board of Trade has a sort of co-ordinate authority with the President. I have no authority over the Vice-President whatever that I am aware of.

3438. Would not the result of that relation be that the Vice-President would have less definite duties, and we may say less work necessarily to perform, than an Under Secretary of either of the departments?—It might be so sometimes. It might happen, from a legislative measure being under consideration in the office, that the Vice-President might have a good deal of work; it depends very much upon the arrangements made between the President and the Vice-President, and the business that has to be transacted.

3439. We have had a good deal of information given us as to the consultative functions of the Board of Trade, but the Committee would be glad to know from you, as its present President, to what extent the Board of Trade is a Consultative Department?—I have not a very clear idea of what is meant by a Consultative Department: but it appears to me that the President of the Board of Trade ought to be a Member of the Cabinet, and I think that he ought to have in his office the means of getting good information upon commercial questions, so that he can bring those questions under the notice of his colleagues with effect. If you have a President of the Board of Trade at all, that office to a certain degree resembling, I think, the Ministry of Commerce which exists in other countries, you ought to consider him as a person whose duty it is to promote and to put forward, as it were, the interests of the commercial body; and, in order to do so, he should be provided with persons in his office capable of giving him good information; not that he is to be guided and controlled by those persons, but he is to take information from them, and then to act and advise his colleagues upon his own responsibility.

3440. Is the Board of Trade consulted, and is its opinion taken by the Foreign Office much more than it is by any other department?—I think it is.

3441. More than it is by the Colonial Office?—Yes.

3442. Or by the Treasury?—Yes, I think so.

3443. By the India Office you are consulted scarcely at all, are you?—Not at all. It sometimes happens that I have a communication by letter from the Secretary of State for India requesting me to give him some information that he requires, and which he may think I have facilities for getting in my office, but officially the Secretary of State for India does not consult us at all. I do not know that he has ever done so in the sense of consulting the department since I have been there.

3444. We have had it stated before this Committee that there appears to be a tendency towards a dimunition of the consultative functions of the Board of Trade, and that the Report of the Commission that was issued by the Treasury in 1853, contemplating that diminution, suggested that, instead of there being two Secretaries—one of them conducting the executive business, as Mr. Booth does at this moment, and the other, what may be called the consultative business, as Sir Emerson Tennent does—there should in future be only one Secretary; was that the case?—That was the proposed organization of the office, which was agreed upon in 1853, I think.

3445. Was it the case that the Commission which was issued last year recommended not that that arrangement should be adhered to, but that, in place of it, in case of the removal of any one of the Chief Secretaries from his office, there should after that time be only those two Secretaries, and no Assistant Secretary conducting the mercantile marine business, which Mr. Farrer conducts now, but that that should be a part of the business of the two Secretaries?—At the present time we are in a sort of transition state at the Board of Trade, as your question would seem to indicate. At present it is settled that, when that transition state is over, the office will have two Secretaries and four Assistants. The distribution of the business between those two Secretaries of course would have to be settled by the President for the time being. The probability is, that one Secretary would take the marine business, which forms almost one-half of the whole business of the Board of Trade, and the other Secretary probably might take the rest; but it would depend upon the wishes of the President of the Board of Trade for the time being how the business would be arranged.

3446. Supposing that that was the case, then the Secretary whose business is at present confined to fulfilling what is called the consultative functions would have other executive business to transact as well?—Yes, he might.

3447. My object in asking you these questions is to ascertain whether the arrangements that have been making for some time in the Board of Trade, and are still making, do not contemplate a diminution of the consultative functions of the Board of Trade?—The consultative functions of the Board of Trade at the present time occupy a very small portion of the whole staff, in addition to one of the Secretaries; I do not think it could ever

ever occupy much less than it does at present; to be exact, I had better state to the Committee what is to be the constitution of the office. With regard to the Secretaries, there are to be two Secretaries who should respectively undertake the direction of the whole business of the office, according to such arrangement as should from time to time be made between them, with the approval of the President, so that until that time comes it is very difficult to say what it might be. The amount of their consultative business might at that time be less than it is now, or it might be greater, according to the policy that might be adopted of either taking Mr. Cardwell's view of doing away with the consultative business altogether, or taking the view of others who think that it should be increased.

3448. Do you consider that you are the Minister whose business it is to reply to questions in the House of Commons with regard to negotiations with foreign countries, or intercourse with foreign countries, upon trade matters?—Not exactly. So far as the question relates to the actual communications that are carried on between the Foreign Office and a foreign country, I do not know that the President of the Board of Trade is the proper person to answer it; but there can be no objection to asking him, because of course he is in communication with the Secretary of State for Foreign Affairs, and if he did not possess the information which was sought, he could at once obtain it from his colleague.

3449. Do you think that your office is the one to which the deputations of commercial bodies should come upon questions of foreign trade, or not?—I think it is useful that they should come to the Board of Trade. I think it is the duty of the person who is the President of the Board of Trade to press on questions, and to investigate matters that are exciting the interest of the commercial classes, to see how far any requests made are reasonable and right to be entertained, in reference to other interests, and to endeavour to bring the attention of his colleagues to the subject.

3450. My object in asking this question is to ascertain upon what department specially there is the responsibility of these matters; I am perfectly aware that the whole Cabinet and the whole Government must be considered responsible for negotiations upon trade, or communications with Foreign Governments upon trade, as they are upon every other governmental act: but there is always one department which is especially the responsible department; do you consider that your office, and that you, as its President, are specially responsible for the governmental action with foreign countries upon matters of trade, or that the Foreign Secretary is so?—I do not think that the Board of Trade is responsible for the action of the Foreign Office. The Board of Trade is responsible for having allowed any question to sleep in the sense that it has not been brought before the Foreign Office, but if the Foreign Secretary thinks that from political considerations the moment is not favourable for pressing upon any Foreign Government any proposed commercial changes, I do not think that the Board of Trade is so responsible in that matter as the Foreign Office. But, in point of fact, there ought to be no divided responsibility; because if the President of the Board of Trade is a Member of the Cabinet, the Secretary of State for Foreign Affairs would confer freely with him, and point out to him what were the political difficulties of pressing any given point at any particular time, and they would agree as to whether it should be done or whether it should not be done. In point of fact, it seems to me to be a responsibility very much like the commercial responsibility, or pecuniary responsibility, that persons undertake, which is called a joint and several responsibility. I think they are jointly responsible, and each responsible. I do not think the department is responsible. In either case I think that the Minister at the head of the department is to be held responsible, and what the State does for him is to provide him with means of forming his opinion and arriving at just conclusions.

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

3451. When the Secretary of State for Foreign Affairs consults you as the President of the Board of Trade upon any one of those questions, and you obtain information upon matters of detail, or even guidance upon the general principles from the permanent officials whose business it has been to acquire it, in what manner do you convey this information to the Secretary of State for Foreign Affairs?—Sometimes by an official letter, which is initialed by me, and which is a letter from the department, but for which, of course, I am responsible; sometimes, and indeed frequently, when the matter is urgent and important, I have verbal communications with the Secretary of State; occasionally I call upon him; and sometimes he sends for me, when he has had representations from other quarters as to the necessity of moving in any particular matter, and we confer together.

3452. Are you always informed when an opinion which has been given by the Board of Trade, through you, is not followed?—I always know it; I do not exactly understand what you mean by "informed."

3453. Have you always an opportunity of laying before those of your staff whose business it is to have information, the fact that the Foreign Office thinks that it is undesirable to follow the advice that has been given, and are you able to consult with them as to whether you should acquiesce in the decision of the Foreign Office?—If the President of the Board of Trade does his duty he never need be in ignorance of what is going on upon those questions, because he knows that a letter has gone to the Foreign Office; and if the subject is pressing and he finds that there appears to be delay or want of information as to what is going on, it is his duty to look after it, and I never found the slightest difficulty at the Foreign Office, when I have gone there myself, in obtaining the fullest information upon any subject that I was desirous of inquiring into. I think very much depends, in these matters, upon the activity and the zeal of those who are at the head of the departments. An office is a thing that will never do much of itself, it gets into a mechanical routine mode of transacting business, and unless those who are responsible look after things, whatever your machine may be, there will be delays and there will be complaints.

3454. You have heard the reasons that have been given by Mr. Cardwell, that whatever be the efficiency and the energy of the heads of the two departments, yet that there may be a great disadvantage in the Foreign Secretary finding it necessary, by the arrangement of the machinery of the administration, that he should receive

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

information from the permanent officials of the Board of Trade through yourself, or else through the Secretaries of the Board of Trade and his own Under Secretaries, and therefore not directly?—Yes.

3455. What is your opinion of the suggestion to meet this difficulty of having a Commercial Department in the Foreign Office?—I think, if you were to establish at the Foreign Office a Commercial Department, it would be a virtual abolition of the Board of Trade in the sense of promoting the general interests of the commercial classes in regard to foreign trade. I think, the two could not very well co-exist; I think that if a gentleman, for instance, like Mr. Mallet, were established at the Foreign Office, he would gradually get around him a staff of clerks, and he would be looked upon as the person with whom all the Chambers of Commerce and others should communicate. The Secretary of State for Foreign Affairs would be looked upon also as the President of the Board of Trade, so far as the foreign trade is concerned. I think that it would not be worth while, if you had that arrangement, to keep up in the Board of Trade the department that is called the Commercial and General Department, and I think that the President of the Board of Trade would have a wrong nomenclature, which would be likely to mislead. You ought to alter the office in that case entirely and give it some other character. The President of the Board of Trade must not be required, if you have that Commercial Department at the Foreign Office, to take the responsibility of promoting those commercial interests in connection with our foreign trade that I have adverted to.

3456. Do you or do you not think that it would still be necessary for the Foreign Office to consult the Board of Trade, on account of the intimate connection of foreign and domestic trade?—No, I do not think it would. I think that if a Commercial Department were established in the Foreign Office, in the way proposed, they would have it in their power to carry on all their ordinary correspondence with foreign countries, without any reference whatever to the Board of Trade. Although I think that the Foreign Office could carry on its correspondence with Foreign Governments upon commercial matters, if they had such a department there as has been proposed, still I have some doubts whether it would work upon the whole so beneficially for the trade of the country as having a Minister, as they have now, whose duty it should be to press his colleagues upon commercial points. I dare say it might work very well generally, but it seems to me that there are occasions when the commercial world would not think itself so well represented or so well cared for if the Commercial Department were a sort of branch of the Foreign Office, as if they had a Minister, as it were, of their own, who should be made to feel it his duty to press forward their interests, and who, if they were allowed to sleep, would be held, unless he could give some very good explanation, to be responsible, or at least primarily responsible.

3457. That brings me to the question I was going to ask, which of course I do without reference to individuals. I am to understand, am I not, that it is your opinion that the interests of trade would, at present, and for some time, be better protected in this country by the Board of Trade continuing as the protector of those interests in the Government, and giving its opinion and its advice to other departments when they are affected?—I think that that would be the general opinion of the commercial classes, not only in reference to our commercial relations with foreign countries, but with reference to the mode in which revenue is raised in this country, and matters of that kind, where mere trading interests might, perhaps, be considered a little secondary, if they were not defended by some one whose duty it was primarily to take that course.

3458. The Committee are also to understand that it is your opinion, that if the Foreign Office was made self-sufficing on matters of trade, so much of the consultative functions of the Board of Trade would be taken away from it, that it would be difficult for it to remain as a department, looking after the interests of trade in the Government, and giving its opinion?—Yes; I think it must be limited entirely to its executive duties, and its head would not have the information supplied to him upon foreign commercial questions, because all the world would go to the Commercial Department in the Foreign Office. I think that the President of the Board of Trade would be a man who would have no authority or weight with his colleagues upon these matters. At least, I will not say no authority or weight, but he would not have the authority or weight which he ought to have, and which he would have when it was known that he was supplied with a staff who could give him good information, and when it was also known that the Chambers of Commerce and the commercial classes communicated with him, and told him their wants and difficulties.

3459. You stated that you thought it impossible that the Board of Trade should remain as a department looking to the interests of trade, in order for it to be consulted by the Treasury; is it not the case that upon questions of revenue, or alterations of duty undertaken by the Treasury, the Board of Trade is not at present consulted?—It is not departmentally much consulted, but Mr. Gladstone has constantly communicated with me upon measures that he has in his mind in reference to the revenue; it is difficult in a matter of that kind to communicate freely with a great department, because all proposed changes of duties ought to be kept quiet until they are proposed to Parliament; but I know that the present Chancellor of the Exchequer is in favour of being in free communication with the President of the Board of Trade upon any fiscal changes that he may be contemplating. I know that I have been requested to attend at the Chancellor of the Exchequer's office upon those subjects, and then I have had an opportunity, without stating publicly to the whole department what I meant, of acquiring in the department the information which it was necessary for me to have in order to give him my opinion, although it might not appear upon the face of any official documents, because the communications were not what you would call departmental. In point of fact, very often these departmental communications are matters of form; the real business is very frequently done by verbal communication, or by private letters; therefore, it is not to be supposed that, because there are not those official communications, the department is not being made use of. The department is a depository of knowledge. The department has in it some very able men, and they are talked to, and advised with; but the course that the President, who is responsible, afterwards

afterwards takes, it is for him to decide, having digested the information that he has received from the officers in his department.

3460. That brings me to the other suggestions which have been brought before the Committee, a very important one of which is, that if the Board of Trade is to remain the protector of trade interests in the Government, and if its opinion is to be taken by other departments, it should be made an office of rather more authority, like the Ministry of Commerce abroad; what is your opinion with regard to that?—I really have not a very strong opinion upon it.

3461. I think I understood you to say, that you thought that the President of the Board of Trade ought to be a Member of the Cabinet?—I think he ought to be so always. I think the President of the Board of Trade may make his office an important office, or let it be an unimportant one if he is inactive. I think a good deal depends in all offices upon the man; the machinery is not the most important part of the matter. Of course you must have a good working machine, but very much depends upon the men, both in the department and at the head.

3462. Do you not think that it would be an improvement in the present machinery, if that suggestion which has been made to the Committee were carried out, that the Board of Trade was enabled to obtain more speedy and more accurate information with regard to foreign trade, by being put into direct communication with the diplomatic body abroad, of course through the Foreign Office?—I think the Foreign Office would object to any direct correspondence being carried on between our Foreign Ministers and the Board of Trade. I think they would feel that it might give rise to a clashing policy, because political matters and commercial matters sometimes mix themselves together very much, and a Foreign Minister might find it difficult to know how to guide his policy if he were instructed, perhaps, in two different senses. I think that if there were a direct correspondence allowed between our Foreign Ministers and the Board of Trade, it might not work well; but I thought that, as a practical matter, Lord Malmesbury's suggestion deserved consideration, namely, that the commercial despatches should be docketed and forwarded at once to the Board of Trade. In that way there could not, therefore, be any delay in the Board of Trade receiving all commercial information that came from foreign conntries. If the Minister abroad separated the political from the commercial matters, and the commercial despatch was at once forwarded to the Board of Trade, I think that that would prevent any delay being possible. As a practical arrangement, so far as I am competent to judge, it appears to me to be a reasonable one.

3463. I understood Lord Malmesbury also to state that he thought that the suggestion which was brought before him, as having been made by Sir Emerson Tennent, that the Board of Trade should be able to communicate with the Diplomatic body abroad through the Foreign Office, but under flying seal, would meet the objection which you spoke of; do you not think that that would take away the danger of any collision between the two departments?—Perhaps it might.

3464. There has been one other suggestion brought before the Committee upon which we should be glad to hear your opinion; and that is, whether you think it might lead to a better arrangement of business between the two departments if there was an officer at the Foreign Office whose special business it should be to superintend such communications as far as they were carried on between the departments?—I think that it might be very useful if there were some gentlemen at the Foreign Office whose especial duty it was to put forward, as they term it, all commercial business.

3465. Mr. *Cobden*,] The Board of Trade carries on its proceedings in the name of a Committee of Privy Council, does it not?—Yes.

3466. Could you give us the names of that Committee?—Perhaps I may state how I understand the matter to be. The original Board of Trade was abolished in Mr. Burke's time. I and the members of the Privy Council were to carry on the business which had been carried on by the Board of Trade, without any fee or salary whatever. That went on for a short time, and afterwards, by an Order in Council, a Committee of the Privy Council was formed, to be called the Lords of the Committee of the Privy Council for Trade. Then an Act was passed, giving a salary to the Vice-President of that Committee of Council, and then some years afterwards an Act was passed giving a salary to the President of that Committee of Council. It has been the practice, I believe, at the commencement of every reign since that time for the Crown to form a new Committee of Council. The Committee are supposed to consist of the Chancellor of the Exchequer, the Secretaries of State, I think, and others; but I really forget who they all are. If you have got a book that gives you the public officers, you will see of what the Committee of Council consists; they never make their appearance at the Board of Trade.

3467. Is the Archbishop of Canterbury one?—Very likely.

3468. You do not know who your colleagues are over whom you preside at the Board of Trade?—We do not preside over them. The Board of Trade really consists of the President, the Vice-President, the Secretaries, and the staff of the office.

3469. The Committee are never summoned, I believe?—The Committee are never summoned. Very often we find that names and forms exist a long time after there have been substantial alterations.

3470. And all your proceedings are carried on in the name of the Lords of the Committee of Privy Council?—Yes; that is the name that is given to the Committee.

3471. But it is only a fiction?—It is certainly a fiction.

3472. If it were more than a fiction, and these parties who are never summoned to your proceedings, and who know nothing of what is going on, were liable at some time to come in and give a voice upon some questions in hand, might not that be rather inconvenient and rather an evil than otherwise?—As far as the executive duties of the Board of Trade are concerned it could answer no useful purpose for them to come, and I do not think they ever will.

3473. There would be no impediment or practical inconvenience in abolishing that fiction, and carrying on the business of the department in the name of the President, I suppose?—No, I do not know of any.

3474. Or in the name of a Secretary of Commerce?—

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

merce?—No, it is a Committee of the Privy Council. That is all I can say about it; but, practically, it is a Committee that never meets.

3475. Mr. *Bazley.*] Do you get information respecting the foreign commerce of the country without the intervention of the Foreign Department?—Yes, I do; but it may be rather considered in the light of private than official communications. No Foreign Governments or Ministers communicate with me officially as President of the Board of Trade.

3476. Then such information would be deemed irregular, to some extent, if it were obtained without the intervention of the Foreign Office?—Yes; they would not communicate officially with any one but the Foreign Office.

3477. Do you obtain information with respect to the trade and commerce connected with India at all?—I do not think we do. The Indian Department has kept itself entirely independent of all other departments in the State, I believe, so far as they have been able to do so. We sometimes supply them with information; but the communications between the Secretary of State for India and the Board of Trade are infrequent.

3478. In the Colonial Department do you exercise any jurisdiction in reference to commerce?—Yes; there are Acts of the Colonial Legislature, and Ordinances, and other matters taking place in the Colonies which affect commerce, and which may require the approval of the Crown here. Before that approval is given, frequently they are sent to us, and we offer an opinion as to what should be done, and occasionally suggest that despatches should be sent, pointing out anything at variance with the Imperial policy which has been adopted in this country with regard to trade.

3479. Do you ever feel it your duty to remonstrate against some of the heavy duties that are exacted upon British manufactures entering British Colonies?—Probably there may have been official letters upon that subject; most undoubtedly, it would be quite the duty of the President of the Board of Trade to press such a matter as that upon the Colonial Secretary, in order that he might use his influence as far as he could to get those duties reduced.

3480. You are aware that the duties in Canada are very excessive upon British exports?—Yes.

3481. And also in Australia upon some of our manufactures?—Yes.

3482. Would it not be a great advantage to a commercial community, such as that which we constitute in this country, if there were a department, whether it was called the Board of Trade, or by any other name, that would include the whole of the commercial relations as regards trade both with Foreign Countries, with the Indian Dependency, and with the Colonial possessions. Should not there be a system so comprehensive connected with trade and commeree that when we enter the Commercial Department in connection with the British Government, there we should find everything received in the way of information, and all the facts which are likely to be useful?—Yes, no doubt, so far as statistics are concerned; the more comprehensive they are, of course, the more useful they would be. I think that the Statistical Department should be the depository of information upon all those branches.

3483. Should not there be something beyond the mere accumulation of information; should not the head of the Department have the means of obtaining direct information from Foreign Countries trading with this country, as well as from India and from the British Colonies?—Of course; the old question arises as to whether the Foreign Office would allow direct communications to be carried on with Foreign Governments, except through the agency of the Foreign Office. I think it is, in theory and in practice, better that those communications should be carried on by the Foreign Office exclusively; I think that every facility should be given for commercial information being promptly communicated, but I think the conduct of the correspondence between Foreign Ambassadors and Foreign Governments and this country should be through the Foreign Office.

3484. That reason will apply also to the Indian and to the Colonial Departments?—Yes, as regards correspondence.

3485. Does the Indian Minister ever apply to you for information connected with the wants of the Home Trade of this country?—It would be quite competent to me, and I should not discharge my duty, if I omitted to do it, to press the wants of the Home Trade upon his notice; he would, of course, hear me upon that subject. If any complaints were made to the Board of Trade of any laws in India that were considered to be prejudicial to the interests of trade here, and to be impolitic laws, it would be the duty of the President of the Board of Trade to communicate with the Secretary of State for India, who, I am quite sure, would take the subject into his consideration.

3486. Has the Indian Minister ever informed you that sheep's wool and flax, and silk and cotton, could be very generally supplied from India, if home markets could be found for those various products?—I do not know that he ever has.

3487. It is only of late years that supplies of sheep's wool have been received from India, especially since the mutiny, and that supply is continually increasing; you are aware of that fact?—Yes.

3488. During the last three years, the great industry in this country connected with the manufacture of cotton has been in a state of great depression and distress from the want of a supply of the raw material; in this state of things, has the Indian Minister frequently made applications to you, or consulted with you, in reference to the necessity which exists of obtaining a larger supply and better quality of cotton?—I may say that all the departments of Government have been alive to the importance of that question of cotton supply. There has been certainly amongst the heads of the various departments a great deal of intercommunication. We have received information from various quarters as to probable new sources of supply, and we have given our opinions, when it seemed to be necessary, as to what should be done, in order that advantage might be taken of the information. I cannot mention any special case, but I think it is sufficient to say generally (and I do not overstate the matter at all in doing so) that the subject has occupied the attention very much indeed of all the departments, I may say, of the Government; certainly, of all the departments at all connected either with the Colonies or with India, or with foreign countries; in fact, generally of the Government.

3489. The Board of Trade takes cognizance now

now of the public works of the country. Have you had any communication from the Minister for India connected with the establishment of Indian railways?—I do not know that we have.

3490. You are aware that, from the want of internal communication in India, the facilities of commerce are very much contracted?—Yes.

3491. Have you had any communication in reference to the importance of irrigation in India, with a view to obtaining larger supplies of cotton from India?—No. I imagine that upon all these matters the Indian Office itself is capable of doing all that is necessary.

3492. Have you, during the period of distress that has existed, made any direct application to the Indian Department concerning the development of the resources of India, particularly with respect to the obtaining of increased supplies of cotton?—I have conversed upon the subject with the Secretary of State for India, but I do not think, really, that it was at all necessary for me to urge the importance of that subject upon him, because I am quite certain that he has always felt the importance of it. There has been some controversy upon which I do not wish to offer any opinion as to certain measures of administration, and so forth, in India; but, upon the importance of getting increased supplies of cotton in India, he could have no other object but to do all he could in promoting the obtaining of those supplies, and I think it would have been superfluous in me to have urged such a matter as that upon him during these times of pressure for the want of cotton, for the whole Government has been alive to the importance of that question.

3493. If we had a Department of Trade in this country upon a more comprehensive system than that which exists at present, would not the department be more effective if the head of it were a Minister of Commerce, and had more authority connected with all the ramifications of trade and commerce?—I think, provided the President of the Board of Trade for the time being is a Member of the Cabinet, he is placed sufficiently upon terms of equality with the rest of the Cabinet, and if he does his duty, he has the means of making known to the Government the wants of commerce, and can get those wants attended to.

3494. In the commercial world an opinion prevails that obstacles exist, not only in our Indian Empire, but in our Colonial Possessions, to the production of various articles that would find good markets in this country, and that would also tend to extend our relations with those Colonies, and with the great dependency in the way of increased exports. How are those obstacles to be removed under the existing relations of the Colonial Office, the India Office, and the Board of Trade. Is not some central authority necessary for the purpose of promoting the removal of those obstacles that are understood to exist, and the removal of which would lead hereafter to a full development of the resources of the Empire?—With reference to our Colonies the question is a difficult one, because the Colonies have so much power of their own, and their legislation, of course, is their own affair to a great extent. It is a difficult thing, and a very delicate matter, to be interfering with the rights of taxation, and so forth, in the Colonies, and to be dictating to them how they should raise their revenue.

3495. Those Colonies are very costly to us, and, if they enjoy privileges, have they not duties to perform?—No doubt they have. To interfere by the power of the Executive Department here would, I think, not be right to the extent suggested.

3496. We do not appear to have any representative of trade and commerce in the departments who has sufficient power to correct the evils that prevail, both in India and the Colonies?—With regard to the question of duties upon exports going into our Colonies, of course those duties are raised by the authority of the Colonial Legislatures, and I imagine that the only way in which the Crown here could deal with the subject would be by refusing its consent to particular Acts; but that would be a very strong proceeding, and, in point of fact, the principle having been to give our Colonies the independent government, to a great extent, of their own local affairs, it is difficult to interfere in such matters now. No doubt we should, from the Board of Trade, point out objectionable regulations and duties to the Colonial Office; and no doubt also the Colonial Office (I agree with Mr. Cardwell in that matter) would at once of themselves see it, if a Colonial enactment was at variance with the Imperial policy, and they are quite competent to take what course is necessary.

3497. Do you think that it is possible to give a concentrated power to a department in this country which shall take cognizance of the Foreign and Indian and Colonial relations of the Empire as regards commerce?—I do not think it would be, in the sense which you mean; I think that they would find themselves very much hampered if they could not act without the authority of some great central department. I think, as I said before, that whether as regards the Colonies, or as regards India, it is quite competent for the President of the Board of Trade to bring under the notice of the head of the Colonial Department, or the Secretary of State for India, any objectionable duties or regulations that may exist, and to press the matter upon the attention of those who have authority to act.

3498. Men of business complain now that when they apply to the Foreign Office for information connected with foreign trade, they are sometimes referred to the Board of Trade, and sometimes when they apply to the Board of Trade they are referred to the Foreign Office, and there can be no doubt that difficulties arise out of the joint administration of the departments that ought to control the foreign trade of the country; we have men of business also who complain that between the Board of Trade and the Indian Department difficulties arise which compel them to seek information rather from the commercial world without than from a department of Government, and when they go to the Colonial Department they find similar difficulties; there does, therefore, seem to be a great deficiency in our commercial regulations under the Government, the difficulty being that, by a divided responsibility, there is no unity of action, and that men are left to obtain information connected with the rules of the various Governments, and the regulations of foreign trade, Indian trade, and Colonial trade, as they best can; would it not be better, under those circumstances, for the country to have a Commercial Minister who should be responsible to the whole commercial world, and to this country, for a good and perfect organization with

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

with trade and commerce?—Your question is rather long, and I do not see the precise point of it. You might have a Minister responsible for doing his best to bring about those changes that are sought in foreign countries; but you cannot make him responsible for the bad laws of other nations. I think you ought to view, more than we have viewed in this Committee, the Government, as a whole, as responsible for the general policy of the nation, for the commercial policy as well as for all other kinds of policy. I think that you ought to hold them responsible for doing all that in them lies, and not allowing any fitting opportunity to pass for urging and pressing upon Foreign Governments the policy of adopting the principles of free trade and so forth. I believe that a great deal may be done by the dissemination of good information. It appears to me that the changes in foreign tariffs must take place from the same cause that brought about the change here, namely, a change of opinion in foreign countries; and it is not always clear that importuning them to make changes in their tariffs, for our interest, is the best way to get them to do it; the dissemination of facts, and our own example, leaving the importunities to be less than they have been, I think is more likely to be a successful policy. We should never have done much in this country, except by addresing the reason of the people, and by changing opinion and forming men's views upon facts, and reasonings drawn from those facts. Great changes took place in our policy; but those changes were not brought about, and never would have been brought about by any importunities on the part of foreign countries urging us to make those changes.

3499. When the men of business are aware of the necessity of the changes that are requisite, does it not impede the progress of improvement when they have to apply to a department under Government that is called a Board of Trade, which has not sufficient power to give effect to commercial improvements?—It is difficult to say what you mean by "commercial improvements."

3500. Commercial facilities and commercial extension?—If you mean by that getting foreign countries to reduce their tariffs, so as to increase the markets for our manufactures, nobody really has the power to do anything in it; it is all a mere question of pressing the matter upon the consideration of those Governments. There is no power here to do anything in the matter, and there cannot be that power in any department.

3501. Unless we have the materials from which we can make our manufactures, the markets become of secondary importance; and, therefore, in relation to the present state of things, in the cotton trade in particular, has it not been the duty of the Government to ascertain, through the Colonial Department and the Indian Department especially, whether more might not have been done to have mitigated the distress that has prevailed, and to have put the whole trade upon a much more solid foundation than it has ever hitherto been placed upon?—I think in those matters you must not expect Governments to initiate or to be in the van as pioneers. They seldom have been; I do not say that they ought not to be so when they are impressed with the importance of any subject; but they are generally engaged in dealing with the policy of the country at the time, and without perhaps seeing very far before them. The changes that are effected are generally brought about by individuals, in the first instance, acting as pioneers, and others following them, until a change takes place in public opinion, which at last acts upon Parliament and the Executive. If they could have seen before them, as many did, the importance of increasing our area for the supply of cotton, I dare say that more active measures would have been taken formerly than were taken; but, unfortunately, we do not see very far before us in this world.

3502. Mr. *Charles Turner*.] Mr. Cardwell seemed to be of opinion that it was possible that the Consultative Department of the Board of Trade should be done away with altogether, and that the Board of Trade should be left to carry on its executive functions, with regard to railways and so forth, do you agree with that?—I do not altogether agree with that doctrine; I do not see how the President of the Board of Trade is to be in a condition usefully to represent the interests of trade, if there are not gentlemen in the department who are possessed of information upon commercial subjects generally, and also if there is not in the department a great deal of what I may call stores of knowledge upon commercial subjects. It appears to me that the President of the Board of Trade would not be able, without such means at his disposal, to serve the interests of the commercial world to the extent that he is able to do now.

3503. I think you say that the Board of Trade have no direct communication either with Foreign Governments or the officials of Foreign Governments, or with the British authorities abroad?—Upon certain matters we have communications with the consuls.

3504. Not generally?—Not generally.

3505. Therefore all the information that you get from abroad, with reference to trade, comes from some department of the Foreign Office, or the Colonial Office, or the India Office?—Yes, it comes through the Foreign Office.

3506. As regards commercial information to be derived from abroad, all those departments have the same information as you have, and they get it before you, in fact?—Yes.

3507. Therefore, any advantage that you have would be with respect to information at home with regard to the home trade?—Yes.

3508. You have no other information beyond that, except what those departments have?—No.

3509. You think that it is desirable that a department should be kept up in the Board of Trade to bring the knowledge both upon home and foreign affairs to bear upon subjects of this kind?—I think it is desirable that there should be at the Board of Trade a depository of information of the character you refer to. The Statistical Department, for instance, is very necessary to be kept up for the sake of trade.

3510. As regards the Statistical Department, I think Mr. Cardwell was of opinion that it was not a department of the Board of Trade; that although it was nominally so called, it was really a department of Government generally, and had no particular reference to the Board of Trade any more than to any other department of Government?—So, in point of fact, is the Board of Trade itself; the fact is, that they are all departments of the governing body. I think there has been one fallacy in this discussion, and that is this: it is not the offices which govern; it is not the departments which govern;

govern; they, strictly speaking, are only advisers of those who govern. A department ought not to be held responsible in any way; the truth is, that very often the advice of the department is not taken. The head of the department must receive the advice of those who are in the department; he has information from them, but there are other considerations which also weigh with him in coming to a conclusion. For instance, with regard to legislation he has to consider not altogether what the department advises to be done, but he has to consider various interests, perhaps, which do not come under their notice; he has to consider what he can carry through Parliament; he has to consider the House of Commons and the House of Lords, and various other matters.

3511. I suppose, practically, it comes to this, that those consultations between the Foreign and Colonial Offices and the Board of Trade are really consultations between the Secretaries of State for those departments and the President of the Board of Trade; they are not departmental consultations?—Practically, it comes to that.

3512. It is not a departmental question put upon the paper, but you are consulted as the President of the Board of Trade by the chiefs of those two departments?—Yes, upon important points.

3513. Practically that is the consultation that takes place?—Yes; there is a good deal of routine business that nobody need be consulted about at all; in fact, that is matter of course business. The controverted questions that come before Parliament, questions upon which there is a considerable difference of opinion in our own country, and in foreign countries too, are the questions upon which the advice of the department is necessary; but those who are responsible for the conduct of the public policy must act as they think fit.

3514. You are consulted, in point of fact, as the head of the department connected with trade, and as being therefore a gentleman who is supposed to understand questions of trade generally; your advice is taken in that capacity?—Yes; but I should not be able to give my advice, unless I had in the department persons to advise me, or to give me information; I need not act upon their advice, but still I must have it. I should like to say, with regard to Mr. Cardwell's proposal, that I think there is no doubt that there is a great deal of ordinary correspondence which the Foreign Office might conduct with foreign countries upon commercial subjects without consulting with anybody else, provided that they had a commercial officer in the Foreign Office, and were communicated with through that officer by the Chambers of Commerce and other bodies in the country. There is no doubt that they might conduct the ordinary correspondence in that way; but I do not think myself that it would work so beneficially for the interests of trade upon extraordinary occasions as having a Minister of Commerce, or a President of the Board of Trade, who should represent, as it were, separately and independently, the interest of the commercial classes.

3515. Mr. *Pender.*] Are you aware that the Chambers of Commerce generally throughout the country, while they know that we have a Board of Trade, feel that that Board of Trade does not fairly represent trade interests; for instance, the manufacturing interests and the mercantile interests say, we have a Board of Trade, but we feel that the Board of Trade does not fairly represent our interests?—I do not see what is to prevent the President of the Board of Trade representing the interests of the commercial classes.

Right Hon. *T. M. Gibson*, M.P.

6 July 1864.

3516. That is just what the commercial classes want; they want the President of the Board of Trade really to represent their interests?—If he does his duty, I am prepared to contend that he can do so now, if he is a Member of the Cabinet.

3517. Could not he do it more effectively if his position was higher than it is at the present time; if he was upon the same platform as the Secretaries of State, and occupied the same position as they do?—I rather doubt whether he could. I think, if he is a Member of the Cabinet, he has it in his power to bring before his colleagues his views upon any commercial question; he has it in his power to bring before the Cabinet his views of what ought to be done. If the Secretary of State for Foreign Affairs entertains doubts whether it is a fitting time, or whether political considerations stand in the way of action at that moment, he would state those views, and they would come to a determination as to what should be done.

3518. You say that the Board of Trade have now a right to protest against anything which is unfavourable to the commercial interests of this country?—When you use the term, "Board of Trade," perhaps we are talking of it in two different senses. There is no doubt that there is a great deal of executive business which the Board of Trade has to discharge under the authority of different Acts of Parliament; but as a Minister of the Crown, provided he is a Member of the Cabinet, the President of the Board of Trade has it in his power to urge on commercial questions generally.

3519. For instance, a rather important change took place the other day in the tariff on British goods going into India, which has been advanced considerably; have you heard anything of it, at the Board of Trade, and has any remonstrance been made; you are no doubt aware that, at Manchester, it has given considerable dissatisfaction?—There is no doubt that the obvious thing for those who complain is to make their complaints to the Secretary of State for India; but, inasmuch as it affects the trading interests of this country, there is no possible objection that I can see in their also communicating with the President of the Board of Trade.

3520. Does not it weaken the confidence in the Board of Trade if they apply to you, for instance, in this question of Indian tariff; and if the Board of Trade refers them to the Indian Office?—The Board of Trade have no power whatever of interfering with the affairs of India; the President of the Board of Trade can urge upon his colleague, the Secretary of State for India, the necessity of considering certain changes or not, as he thinks fit; but we have rarely meddled with the Indian Department in any way, that I am aware of.

3521. Were you aware of this alteration which took place the other day in the Indian tariff?—No; the India Office do not communicate with us.

3522. Therefore, our trade with India is really without a department representing it in any way connected with the Government?—Certainly, without any specially representing it beyond the India Office.

3523. With regard to our Colonies, of course you

Right Hon. *T. M. Gibson*, M.P.

5 July 1864.

you are aware that free trade is now the Imperial policy; that free-trade policy has been put aside in some instances by the Colonies, and although professedly imposing duties for the purpose of the revenue, they have imposed such duties as to amount to a protection, and it is said that they are imposed in some instances avowedly for protection; in that case, you are aware that the Colonial Secretary has a positive veto upon such enactments?—Yes.

3524. If we had a Minister of Commerce, in precisely the same position as the Colonial Minister, could he not press him to the point of vetoing anything that was contrary to Imperial policy?—He could press it upon him. I do not know what their practice is at the Colonial Office, or the extent to which they have ever gone that way; but obviously it is a ground that they would tread upon with great caution, as interfering with the rights of taxation in the Colonies. But no doubt, if the Colonies were to adopt regulations or duties which conflicted materially with the Imperial policy, then it would be the duty of the Colonial Office to advise some interference, I should think. But, as far as the Board of Trade is concerned, we have nothing to do with it; we have no executive power; we could only call the attention of the Colonial Office to anything that we thought injurious to the commercial interests of this country, or which conflicted with the Imperial policy.

3525. From the present constitution of the Board of Trade, you can do nothing more than remonstrate with any other department by which changes are made which are not in the interests of the trading and manufacturing community of this country?—Certainly, we can do no more; of course, we have no executive power whatever with regard to their duties.

3526. *Chairman.*] Have you any suggestion to make to the Committee with reference to the subject we are met to consider?—No; I cannot say that I have.

3527. Are you aware whether Mr. Cardwell was a Member of the Cabinet when he was President of the Board of Trade?—He was not at that time.

APPENDIX.

LIST OF APPENDIX.

Appendix, No. 1.

Paper handed in by Mr. Allhusen, 3 June 1864: PAGE

Memorial of the Newcastle-upon-Tyne and Gateshead Chamber of Commerce, dated 13 February 1863 - - - - - - - - - - - - - - 257

Appendix, No. 2.

Paper handed in by Mr. Ashworth, 7 June 1864:

Memorial of the Board of Directors of the Manchester Chamber of Commerce, dated 22 February 1864 - - - - - - - - - - - - - - 260

Appendix, No. 3.

Paper handed in by Mr. Sturrock, 7 June 1864:

Memorial of the Directors of the Dundee Chamber of Commerce, dated 12 May 1862, 262

Appendix, No. 4.

Papers handed in by Mr. Hammond, 14 June 1864:

Statement showing the effect of a Diminution in the Import Duties on certain Articles upon the Amount of Revenue received on those Articles - - - - - - 265

Effects of the Free Trade Policy recently inaugurated in England, as indicated by its Practical Results - - - - - - - - - - - - - 266

Silk Statistics (United Kingdom) - - - - - - - - 267

Circular, dated Foreign Office, 24 February 1857 - - - - - - 268

Circular, dated Foreign Office, 22 July 1858 - - - - - - - - 268

Circular, dated Foreign Office, 24 January 1860 - - - - - - - 269

Circular, dated Foreign Office, 31 March 1860 - - - - - - - - 270

Circular to Ministers Abroad, dated Foreign Office, 25 April 1863 - - - - 270

Circular, dated Foreign Office, 23 May 1864 - - - - - - - - - 270

Regulations for the Examination of Attachés in Her Majesty's Diplomatic Service - 271

Letter from John Darlington, Esq., Secretary to the Bradford Chamber of Commerce, 9 April 1864 (enclosing Statement) - - - - - - - - - - - 271

Memorandum relating to the Duty upon Rags - - - - - - - - - 273

Letter from Sir James Emerson Tennent to A. H. Layard, Esq., M.P., dated 11 January 1864 - - - - - - - - - - - - - - - 274

Appendix, No. 5.

Papers handed in by Mr. Hammond, 1 July 1864:

Correspondence with the Association of Chambers of Commerce - - - - - 275

Reports from Her Majesty's Ministers at the Principal European Courts, as to the Relations between the Foreign Office and the Ministry of Commerce in the Countries in which they reside - - - - - - - - - - - - - 276

Appendix, No. 6.

Papers put in by Mr. Hammond, 10 June 1864:

Correspondence between the Board of Trade and the Foreign Office respecting the Negotiation of a Commercial Treaty between Great Britain and Belgium - - 295

Correspondence between the Board of Trade and the Foreign Office respecting the Negotiation of a Commercial Treaty between Great Britain and Italy - - - 334

APPENDIX.

Appendix, No. 1.

PAPERS handed in by Mr. *Allhusen*, 3 June 1864.

To the Right Honourable the Lords of the Privy Council for Trade, &c., &c., &c., London. App. No. 1.

The MEMORIAL of the Newcastle-upon-Tyne and Gateshead Chamber of Commerce, unanimously adopted at a Special General Meeting of the Committee of the Chamber, held on Friday, 13 February 1863, in the Guildhall, Newcastle-on-Tyne, the Mayor of Gateshead (*B. Bigger*, Esq.) in the Chair,

Respectfully showeth,

THAT the commercial community of this locality feeling a deep interest in the extension of intercourse with foreign nations, has, for a considerable period, exerted itself in common with other commercial bodies, to bring under the notice of Her Majesty's Government, that present circumstances call for some change in the conduct of negotiations for further commercial treaties, and in the management of the numerous questions which have arisen, and are daily arising, in consequence of treaties already entered into.

That this conviction having more and more forced itself upon our merchants and manufacturers, this chamber embraced the opportunity which presented itself during the autumn of last year, by the visit of an influential member of the Cabinet, the Right Honourable the Chancellor of the Exchequer, to place before him a variety of suggestions, embracing the opinions of this association on this important subject, and which were, in substance, to the following effect:—

> Suggestions respectfully submitted to the Right Honourable the Chancellor of the Exchequer, by the Newcastle and Gateshead Chamber of Commerce, for facilitating the early reduction of foreign tariffs.

Upwards of 20 years have elapsed since the first changes in the laws regulating the importation of foreign produce and manufactures took place.

It was originally intended to extend commerce by entering into treaties with foreign nations; but this principle, though it had been previously acted upon, with regard to shipping, was soon discovered to create insurmountable difficulties at home. Our ministry was not empowered to act without the consent of Parliament. It thus became a matter of necessity to legislate for this kingdom only; and to trust to foreign nations following our example.

The maintenance of the principle of protection to national industry, appeared to be the basis upon which commercial or navigation treaties were first inaugurated during the period of Mr. Huskisson. Their object was to confer, or maintain, benefits on home producers, under the supposition that foreigners paid the difference between high and low prices; whilst, in fact, the home consumer was the loser. We may consider this principle as having been abandoned in this country since the introduction of the great tariff reforms of Sir Robert Peel, when it became apparent that the public interest would be best consulted by the levying of duties for revenue purposes only.

The errors of the principle of protection, however well understood here, yet prevail, to a great extent, with many leading statesmen in continental Europe.

The success which has followed the change of our policy has proved, to the satisfaction of the country, that the removal of restrictions invariably opens out new sources of wealth; and we have at last arrived at a period which shows indications that foreign nations are willing to consider reforms in their respective tariffs. As the idea of introducing changes is now entertained by them, it is not unnatural that they should endeavour to do so by means of treaties which, whilst they provide for the removal of restrictions in their own country, should, at the same time, secure a further reduction of our import duties.

For a long period our Government adhered to the idea that each nation must legislate for itself. But at last the principle of negotiation was adopted, with regard to France; and, considering that the good effect which has resulted in this case can no longer be doubted, it may be assumed that similar negotiations will have to be conducted on future occasions. We have, since that period, witnessed the conclusion of a treaty of commerce with Belgium, and negotiations are understood to be pending with Italy; and Austria, it is to be hoped, will also reform her tariff. This state of things must naturally lead to the inquiry whether our Government organization is adapted for the

App. No. 1.

prompt management of the important questions which from time to time arise, and which must be dealt with without delay. Is it practicable to secure the requisite attention without neglect of those political and other duties which have of late years increased, rather than lessened the labour imposed upon the existing ministerial departments?

Those who have had an opportunity of observing how commercial questions are at present disposed of have come to the conclusion that a different organization might be introduced with advantage.

We have a Board of Trade, which acts under the Foreign Office; this Board thus becomes a mere channel of communication, and is unable to conduct and carry through the business to which its attention may have been directed.

The advice of this department is not unfrequently required and given on commercial matters; but whether such advice is acted upon, and has led to the desired results, can only be ascertained by application to another department.

In the ordinary affairs of life, an incentive to industry is found to be almost necessary to secure success, whilst according to the existing regulations it would appear that the duties are so divided as to deprive the executive of all interest, and the dispatch of business rests solely on the motive power of a conscientious discharge of duty.

The Board of Trade appears to be responsible to the House of Commons for the efficient administration of the mercantile, marine, and railway departments, but not for matters concerning commerce; it is, therefore, assumed that the interest of this Board is more immediately confined to the performance of the duties connected with the two first-named departments, and they, it is believed, annually require increased attention and labour.

It thus appears that the management of the commercial policy of the country virtually rests with the Foreign Office. This department, generally under the direction of most able diplomatists, appears to be overburdened with important business, which, as might be reasonably supposed, take precedence of any commercial questions; in fact, it may be broadly stated that the atmosphere of the Foreign Office is not the most favourable to the promotion of trade. It is not probable, therefore, that any member of that department would take pleasure in devoting his mind and thoughts to its extension, as they invariably belong to a class who have been debarred, as it were, by previous associations from acquiring a knowledge of matters bearing upon commerce.

If the correctness of these remarks be admitted, the desire of the mercantile community, it is hoped, will soon be realised. Their object is to provide for a system which will give Chambers of Commerce, and other commercial communities, the means of bringing their representations under the notice of some properly constituted department, which of itself shall have authority to act upon them, and be directly responsible to the House of Commons for the administration of its functions.

Whether their wishes can be best carried out by the appointment of a Minister of Commerce, or by the constitution of a Foreign Commerce Department under the superintendence of the Foreign Office, they do not pretend to decide; but they can assert with confidence that a department of this nature, presided over by one who possesses a knowledge of trade, and who would consider it his duty to watch every opportunity which might present itself for securing an extension of commerce would tend to promote progress and prosperity.

A department so constituted, with authority to communicate direct with our ambassadors or consuls, under the regulations it may be advisable to impose, would at all times be ready to avail itself of the chances which may from time to time present themselves for effecting the removal of restrictions upon foreign commerce.

It may be said with a degree of justice that the time for making commercial treaties is passed, because, having given all we had to give we can give no more; this argument, however, belongs more properly to the past than to the present, because concessions of a very moderate extent would now satisfy, whilst much more would have been required before the general advantages of Free Trade were understood by foreign governments; and it may also be observed that changes which they would deem a concession might, when made, benefit ourselves.

The same arguments were used before the commencement of the French negotiations, yet we found means to conciliate that government mainly through our consent to reduce the duties on wine, not, as it was supposed by some, at the sacrifice of a permanent revenue, but by the substitution of a low scale for a high rate of duties, a change which has increased the comforts of many, whilst at the same time there are unmistakeable indications that after the lapse of a few years this concession will be found to have laid the foundation for an increased revenue. At least so far as the past affords a guidance, it would appear to be so, seeing that the consumption of port wine has nearly doubled, whilst that of French wine has almost trebled.

In short, the argument that we have nothing to give is no longer tenable. What has held good with regard to France, may be practised at suitable periods in other countries.

The state of our revenue might permit a reduction of the duties on sugar, or some other highly taxed articles, which would afford the opportunity of concluding treaties with the Brazils and other South American Governments; it might also afford a chance of restoring a liberal tariff in the United States.

Though our power of making concessions is comparatively small, France, on the other hand, has much to give, and her active exertions in making treaties of commerce having already brought the reduction of duties under the notice of several important foreign governments, there is hardly a doubt that the tariffs of Europe generally will undergo a change.

Under these circumstances, therefore, the present period would appear to justify the conclusion that there would be ample scope of usefulness for a department such as the mercantile community of this locality, and, we believe, of the country at large, would desire to see established.

Signed on behalf of the Chamber,
C. Allhusen, Chairman.

Newcastle-upon-Tyne,
October 1862.

That

That the Right Honourable gentleman gave a very courteous reply, without, however, holding out any hope that steps might be taken to carry out the suggestion thus brought under his notice.

That this association has deemed it better to allow some time to elapse for consideration, believing that circumstances might arise which would forcibly show that the public interest required the formation of a department affording a direct and easy communication with commercial associations, and combining therewith responsibility to Parliament.

That nearly 12 months have elapsed since this Chamber was applied to by your Board for information regarding the commercial intercourse between this country and Italy, and it was considered that the object of this inquiry was to collect materials for the framing of a commercial treaty with that country. Since then the result of the pending negotiations has been watched with interest, but up to this period it does not appear that any progress has been made.

That when we contrast with this the successful efforts of the French ministry (where an organization exists such as this Chamber would desire to see established here) we are obliged to come to the conclusion, in which we trust your Honourable Board will concur, that some change in the mode of conducting such negotiations is absolutely necessary.

That a treaty of commerce has been concluded between France and Italy, and we believe England will reap the advantage of this treaty under the most favoured nation clause; but the effect of this indirect mode of proceeding is that the alterations and reductions of duties are framed so as best to promote the commercial intercourse of the two nations engaged in the negotiation, who naturally look to themselves alone; and it is only, therefore, when the interest of the British manufacturer is identical with that of one or other of the contracting parties that any increase of commercial facilities is participated in by this country.

That it may be remarked that reductions and alterations of duty, provided for by the treaty referred to, do not even now appear to be known to the commercial interests which may be materially affected by them, supposing even that they are known to any of the ministerial departments of the country.

That the same observations might be made with regard to the Belgian and Zollverein treaties of commerce, but we deem it unnecessary to multiply statements of a similar character; this Chamber remaining under the impression that commercial questions do not, under the present system, create the interest which is necessary to their advancement.

Your memorialists therefore request that your Honourable Board will carefully consider their representations, and take such early steps as may be considered most judicious and best calculated to establish an efficient organization for the management of questions bearing upon international commerce.

Signed by order and on behalf of the Chamber,

Benjamin Bigger,
Mayor of Gateshead,
Chairman.

Appendix, No. 2.

PAPER handed in by Mr. *Ashworth*, 7 June 1864.

App. No. 2.

MEMORIAL of the Board of Directors of the Manchester Chamber of Commerce.

To the Right Honourable the Lord Viscount *Palmerston*, K.G., G.C.B., &c., &c., First Lord of Her Majesty's Treasury.

The Memorial of the Board of Dicectors of the Manchester Chamber of Commerce, by their Chairman—

Respectfully showeth,

THAT your Memorialists have long had reason to complain of the tardiness and inefficiency of the system which prevails in this country for communicating with Foreign Governments on subjects connected with trade and commerce.

That to whatever causes this may be attributable, it is certain that, when opportunities have presented themselves for re-modelling tariffs, or developing commercial intercourse, the favourable moment has usually been seized by France, or some other of our commercial rivals, and after negociations have proceeded some length, we have heard of them for the first time chiefly through the public press.

That the origin of the Board of Trade dates as far back as the time of the Commonwealth, when a council of lords and merchants formed a commission for the purpose of developing the trading resources of this country.

That since that period various changes in our commercial policy have succeeded one another.

That in the first instance the legislation of the Board of Trade was chiefly confined to protecting home industry on the old exclusive system, and to the enactment of laws which forced the colonies to buy their goods in the home market, and compelled them to sell their produce exclusively to the mother country.

That subsequently various systems of tariffs, prohibitions, drawbacks, differential duties, sliding scales, and navigation laws were adopted in succession.

That at a later period recourse was had to treaties of reciprocity with foreign nations, and later still, in accordance with a more enlightened policy, the free-trade system was inaugurated and carried into effect, sweeping away all former objectionable impositions and restrictions.

That the remodelled British customs tariff, as it has come into operation in its simplified form, requires less supervision on the part of the Government, and appears to have liberated some portion of the official staff of the Board of Trade for other duties, as from a Report presented to Parliament in 1854, it is shown that that establishment, being no longer engaged solely upon trading affairs, had been divided into the following departments, viz.:—

1. General Department.
2. Statistical ditto.
3. Railway ditto.
4. Mercantile Marine ditto.

Also The Corn Office.
The Registrar of Joint Stock Companies.
The Registrar of Designs.
The Registrar of Merchant Seamen.
And The Department of Practical Art.

That the last-named department has since been removed, and there have been added the Meteorological Department, and some minor branches, such as relate to Charters of Incorporation, Art Unions, and Fisheries.

That, following a change so sweeping, it would appear that the Government had arrived at the conclusion that the free-trade measures now in force had become sufficiently complete in themselves to put an end for ever to many of those trade and tariff questions which previously had been found so troublesome and perplexing.

That, whilst acknowledging the vast importance to commerce of the various undertakings which of late years have occupied the attention of the Board of Trade, and which previously were unknown to that branch of the Government, your Memorialists cannot refrain from expressing their conviction that that department, which ought to have watched over commercial interests, has failed to provide adequately for them in their altered position under the free-trade system, nor has it kept pace with the requirements of the enormous increase in our foreign trade.

That the constantly increasing numbers of our labouring population, who depend in a great measure upon foreign states for the disposal of the produce of their labour, coupled with the fact that, year by year, foreign nations are entering into more active competition with us in all the markets of the world, combine to show the absolute necessity of greater vigilance and more energetic action by Her Majesty's Government on behalf of the manufacturing community.

That

That this country, having been so unsparing in the repeal of duties levied upon foreign products, it is obviously incumbent on Her Majesty's Government that they should impress upon foreign states the necessity as well as the advantage of allowing to British manufactures the most favourable terms of admission into their markets.

That it appears that other nations have been unable to extricate themselves as completely and as speedily as England has done from the trammels of a protective system of long duration; but it is known that some of them have evinced a disposition to readjust their customs duties and restrictions upon trade, and there is reason to believe that an appeal from Great Britain, setting forth our claims upon them, would receive a fair and equitable consideration. Hence it is absolutely necessary for British interests that they should be strongly and specially represented abroad, whenever there are tariff alterations about to be made, in order that the most favourable terms may be obtained; and, it may be added, that the omission of such a step, or any inefficiency in conducting the negociation, might entail incalculable loss on many branches of our manufactures for years to come.

That since the Commercial Treaty with France, it is well known that that nation has been negociating commercial treaties with various other European countries for the reception of the principal articles of French produce, at an average duty of 15 per cent., in lieu of from 30 to 100 per cent., previously in force.

That in countries where France has obtained considerable commercial privileges, it appears that our diplomatists have arrived too late on the field, and have only succeeded, in some cases, in obtaining the benefits of the treaty under "the most favoured nation clause." The classification and arrangement of the tariffs, as settled between France and other countries, not unfrequently excludes British manufactures, and, as instances of this, your Memorialists would point to the recent reductions in the Italian Treaty of Commerce, also to the circumstances connected with Belgium and the Zollverein; they would further point out that there are many articles of British manufacture, nothing similar to which is produced in France, and that country having made no provision for the admission of such articles, no reduction of duty upon them has been obtained.

That it is most disheartening to the enterprise of the British manufacturer to observe that his immediate interest should be thus lost sight of by our foreign diplomatists, and it is not unreasonable that he should complain of this neglect. It may be alleged, in reply, that there has been placed within his reach the staff and influence of the Board of Trade, ever ready to give attention to his representations, and communicating, as it is supposed to do, with the Foreign Office, and thence through our diplomatists with the Governments of foreign nations.

That your Memorialists have thus placed before them, apparently, all the advantages to be derived from the action of two such powerful bodies; but the reality discloses a division of authority which, in effect, renders neither the one nor the other responsible for the discharge of the important functions relating to our commercial intercourse abroad; and, as might be expected, documents and representations, which have been prepared with great labour and have urgently demanded attention, have been referred from one department to the other, and it has not unfrequently happened that objects which might have been otherwise achieved have been allowed to slip from our grasp.

May it therefore please your Lordship to take this matter into your early and favourable consideration, and cause an inquiry to be instituted, and such steps taken as may appear most desirable for rendering the action of the departments herein referred to more direct and efficient in communicating with Foreign Governments upon commercial affairs; and, further, that your Lordship will, for the future, require that Her Majesty's representatives abroad shall devote to the subject that measure of attention which its vast importance demands.

And your Memorialists will ever pray, &c.

For and on behalf of the Board of Directors,

(signed) *Henry Ashworth*, President.
Hugh Fleming, Secretary.

Manchester,
22 February 1864.

Appendix, No. 3.

PAPERS handed in by Mr. *Sturrock*, 7 June 1864.

App. No. 3.

Zollverein Tariff.

To the Right Honourable *T. M. Gibson*, President of the Board of Trade.

The Memorial of the Directors of the Dundee Chamber of Commerce,

Humbly showeth,

That your Memorialists, understanding a treaty of commerce is in process of adjustment between the states composing the Zollverein and France, which will also apply to the trade carried on between this country and Zollverein, beg respectfully to lay the following statements before you, regarding a large trade carried on in Dundee.

Since the present tariff of the Zollverein came into operation a new trade in this district has sprung up, viz., the manufacture of jute into yarns and cloth. The raw jute is imported entirely from the British possessions in the East Indies, and the quantity used in Dundee alone in 1861 reached to nearly 40,000 tons.

The products of jute have, consequently, no place in the present tariff of the Zollverein, and all yarns and cloth made from this fibre are classified under the head of linen yarns and linens, and the duties specified on these articles are charged accordingly.

Your memorialists have to state that the great proportion of jute yarn costs, on an average, 2½ *d.* per lb., whilst yarn made from flax costs 8 *d.* per lb. There is an equally great difference between the value of cloth made from jute and that made from flax; therefore it is evident that duties which may be fair and moderate on the products of flax will be prohibitory on those of jute. Jute cloth is extensively used in making twilled sacks for containing corn, &c. &c., and these are now charged at the rates of linen goods. Besides, the yarns and cloth made from jute, being of a coarse and heavy description, are, whilst treated as manufactured from flax, additionally taxed by the duties in the Zollverein tariff being levied by weight.

Your memorialists would also bring under your notice the peculiarity of jute carpeting' which is presently charged with the duty of carpets made from wool. They particularly do so, as there was a very strong desire in Prussia and several of the States of the Zollverein to be supplied with this article from this district, but which has been entirely prevented by the prohibitory duty already alluded to, the duty in this case being actually more than the value. An objection may be raised, that were the duties on these carpets lowered in proportion to their value, carpets made from wool might be introduced in their stead. Your memorialists have, however, to point out that jute, being a vegetable substance, can, by the simplest possible process, be distinguished from wool or animal substances; and this simple mode of distinguishing the one from the other can as easily be applied to yarn and cloth of jute or wool, the process showing at once whether in jute cloth there is any mixture of wool, or *vice versâ*. Sir James Edward Smith, President of the Linnæan Society, on botany, in the first chapter of his work on the distinction between animal and vegetable substances, says, "The simple experiment of burning will decide the question; the smell from animal substances is so peculiar that it can never be mistaken, nor does any vegetable give out the same odour."

Your Memorialists beg to append a classification and rate of duties for the products of jute, which have been under the consideration of the traders of the district, and approved of by them.

In conclusion, your memorialists beg to point out that it is absolutely necessary for the advantage of the trade, that the products of jute be specially named and classified in any tariff which may be entered into, and duties fixed in proportion to their value.

Signed, in name and on behalf of the Directors of the Dundee Chamber of Commerce, by

(signed) *W. W. Renny*, President.

Dundee, 12 May 1862.

Transmitted

App. No. 3.

Transmitted from Dundee to the Right Hon. *T. Milner Gibson* on the 20th May 1863.

The following are the classification and duties which have been fixed in the New Commercial Treaty between France and Italy on the importation of linen yarns and linen cloth into Italy, viz. :—

	Kils.	*Fr.*	*c.*
Fils de lin, simple, ecrus, lessives ou blanchis	100	11	55
Ditto teints	100	23	10
Tissus de lin, ayant moins de 6 fils en chaine dans l'espace de 5 millimètres, écrus ou blanchis	100	23	10
Ditto, de 6 fils et au dessus, écrus ou blanchis	100	57	75

Looking at the low value of jute yarns and jute cloth in comparison with linen yarns and linen cloth, the Directors of the Dundee Chamber of Commerce beg respectfully to propose that the following classification and duties be arranged in any treaty that may be entered into between this country and Italy on the importation of jute yarns and jute cloth into Italy. These duties have been calculated in proportion to those to be exacted (stated as above) on linen manufactures.

This arrangement would then place the products of jute on a similar footing as the products of flax, viz. :—

				In Treaty between France and Italy
Fils de jute, mesurant au kilogramme (écrus)—	*Kils.*	*Fr.*	*c.*	*Fr.*
2,900 mètres ou moins	100	3	—	
de 2,900 mètres à 4,800	100	3	70	7 to 20
Plus de 4,800 mètres	100	5	10	
Blanchis ou teints:				
2,900 mètres ou moins	100	3	90	
de 2,900 mètres à 4,800	100	4	62	10 to 27
Plus de 4,800 mètres	100	6	50	
Tissus de jute presentant, en chaine moins de 6 fils, dans l'espace de 5 millimètres, unis ou croises, and sacks made therefrom	100	5	10	13 to 21
Ditto de 6 fils, et au dessus, unis ou croises, and sacks made therefrom	100	7	55	30
Jute carpeting—Rugs and matting	100	10	20	32
Matting made from jute along with other fibres	100	10	20	—
Matting made from all other fibres	100	10	20	—

(signed) *W. W. Benny*, President.
William G. Don, Vice-President.

App. No. 3.

Italian Tariff.

100 cents=1 new lira=9½ medium exchange. 100 kilogrammes=220 lbs. English.

	PROPOSED DUTIES.		PRESENT DUTIES.	
	Per lb. English.	Per 100 Kilos.	Per lb. English.	Per 100 Kilos.
(1.) Linen Yarn:	*D.*	*L. c.*	*D.*	*L. c.*
Raw, single, or bleached	0.43	10 0	0.43	10 –
Dyed	0.86	20 0	0.86	20 –
(1.) Linen Cloth:				
Bleached or not, having less than 6 threads in 5 millimètres	0.87	20 0	0·87	20 –
Bleached or not, having more than 6 threads in 5 millimètres	2.18	50 0	2·18	50 –
(2.) Jute Yarns:				
Unbleached, 8 lea or lighter	0.22	5 10	0.43	10 –
Bleached or dyed, or lighter	0.28	6 50	0.86	20 – (3)
Unbleached, heavier than 8 lea, and not heavier than 4¾ lea	0.16	3 70	0.43	10 –
Bleached or dyed, heavier than 8 lea, and not heavier than 4¾ lea	0.20	4 62	0.86	20 – (3)
Unbleached, heavier than 4¾ lea	0.13	3 0	0.43	10 –
Bleached or dyed, heavier than 4¾ lea	0.17	3 90	0.86	20 – (3)
(4.) Plain Jute Goods:				
Having less than 6 threads in 5 millimètres	0.22	5 10	0.87	20 –
Having more than 6 threads in 5 millimètres	0.33	7 55	2.18	50 –
(4.) Twilled Jute Goods:				
Having less than 6 threads in 5 millimètres	0.22	5 10	0.87	20 –
Having more than 6 threads in 5 millimètres	0.33	7 55	2.18	50 –
(5.) Jute Carpeting:				
Rugs and Matting	0.44	10 20	2.18	50 –
Matting made from jute and other fibres	0.44	10 20	2.18	50 –
Matting made from jute and all other fibres	0.44	10 20	2.18	50 –

Mixed Goods.—When jute predominates in weight, the duties on jute.

(1.) No change proposed.
(2.) Charged at present same rates as linen yarn.
(3.) Duty on dyed yarn; the bleached is charged the same as unbleached.
(4.) Charged at present same rates as linen cloth.
(5.) Charged at present same rates as woollen carpets.

Note.—Double warp, or two-fold twisted, to be counted as single threads.
Striped sacking not to be charged as dyed or printed, but as plain.
A few threads of cotton yarn to be allowed in the selvidge of jute cloth.

Appendix, No. 4.

PAPERS handed in by Mr. *Hammond*, 14 June 1864.

STATEMENT showing the effect of a Diminution in the Import Duties on certain Articles upon the Amount of Revenue received on those Articles. App. No. 4

		Rate of Duty.	Quantity Consumed.	Amount of Revenue.
		s. *d.*		£.
Sugar	1821	27 – per cwt.	3,530,362	4,077,706
	1831	24 – „	4,233,509	4,650,589
	1850	11 – „	6,229,094	3,900,663
Coffee	1801	1 6 per lb.	750,861	56,315
	1811	– 7 „	6,390,122	186,378
	1821	1 – „	7,327,283	384,283
	1831	– 6 „	21,841,264	583,751
	1849	– 4 „	34,399,374	566,822
			gallons.	
Brandy	1821	22 7½ per gallon	1,013,400	1,031,217
	1849	15 – „	2,187,801	1,640,488
			lbs.	
Excise Duty on Paper	1821	– 3 per lb.	48,204,927	579,867
	1849	– 1½ „	132,132,659	859,575
Excise Duty on Soap	1821	– 3 „	92,941,326	1,023,530
	1849	– 1½ „	197,632,280	1,026,080

	£.
Customs and Exise Duties collected in 1821	38,765,814
Deduct Duties repealed and reduced between 1821 and 1849	27,801,667
Leaving to be collected	10,964,147
But the unrepealed Duties actually produced in 1849	34,622,284
So that the sum received beyond the computed amount was £.	23,658,137

Note.—The amount of revenue in each of the foregoing statements will not be found to agree with the quantities at the given rates of duty. The rates as respects Sugar and Coffee represent the duties chargeable on the produce of British Possessions only; whereas some part of the duty is paid at higher rates on the produce of foreign countries, whereby the amount of revenue is increased. On the other hand, it frequently happens that allowances have to be made to the merchant, which reduce the revenue below what it would appear by computation.

App. No. 4.

Effects of the Free Trade Policy recently inaugurated in *England*, as indicated by its Practical Results.

(Originally published in the "Moniteur" of 23 July 1855, and now continued to the latest period.)

1. Imports. The official value, which amounted in 1842 to 65,200,000 *l.*, had increased in 1858 to 138,100,000 *l.*, or more than double.

2. Exports (British). The real value of exports increased in the same time from 47,300,000 *l.* to 116,600,000 *l.*, or two and a-half times as much.

3. Shipping. The tonnage of British shipping that entered and cleared with cargoes in 1842 was 5,415,821 tons; in 1858 it was 11,114,330 tons.

The tonnage of foreign shipping increased from 1,930,983 to 7,645,631 tons.

The total tonnage therefore increased from 7,346,804 to 18,759,961 tons, or more than two and a-half times as much.

4. Customs and Excise Revenue. The revenue from these sources amounted in 1842 to 33,542,791 *l.* Between that date and 1858 taxes of customs and excise were repealed or reduced to the extent of no less than 11,100,000 *l.* net (*i.e.*, in excess of similar taxes imposed). If, therefore, there had been no increase from other articles, the revenue in question would only have amounted in 1858 to 22,400,000 *l.*, whereas it actually produced as much as 40,087,703 *l.*, or upward of 6,500,000 *l.* more than in 1842, notwithstanding the above enormous reductions.

5. National Debt. The National Debt, which amounted in 1842 to 791,250,440 *l.*, decreased continually till 1853, when it only amounted to 771,335,801 *l.* In consequence of the Russian war it had increased again to 808,000,000 *l.* in 1856, but once more diminished to the extent of 3,500,000 *l.* by 1858.

6. State of the National Finances. In 1842 the expenditure exceeded the income by 3,979,539 *l.* In the 11 years between that date and the Russian war, there were only two years when the expenditure was greater than the income; in the other nine, the surplus of income was on the average between 2,000,000 *l.* and 3,000,000 *l.* a year. The Russian war caused a deficiency for three years, in one of which (1855) it was as great as 21,140,000 *l.* In 1858 the income again exceeded the expenditure by 1,127,657 *l.*

The expenditure in 1858 was 9,739,729 *l.* greater than in 1842, but the income was 14,846,925 *l.* greater.

7. Ship-building. The tonnage of ships built in 1842 was 129,929 tons, of which 13,716 tons were steamers. In 1858 there were built 208,080 tons, of which 53,150 tons were steamers.

8. Bank of England. The deposits in the Bank of England at the end of 1842, amounted to 9,063,000 *l.*; at the end of 1858 to 20,490,000 *l.*, or much more than double. Its assets increased in the same time, from 30,890,000 *l.* to 45,083,000 *l.*

Effects on the Social Condition of the People.

9. Savings Banks. The capital of savings banks in 1842 was 25,319,336 *l.*; in 1858, 36,193,400 *l.*, an increase of nearly one-half. This is a conclusive proof of the increased prosperity of the working classes since the introduction of free trade.

10. Pauperism. In the year 1842 (ending March 1843), with an estimated population of 16,194,000, the amount expended in England and Wales for the relief of the poor was 5,208,027 *l.*, being at the rate of 6 *s.* 5¼ *d.* per head. In the year 1858, with a population of 19,578,000, the amount expended was 5,558,689 *l.*, or 5 *s.* 8¼ *d.* per head. Had the poor-rates increased in proportion to the population, they would have amounted in the latter year to 6,250,000 *l.*

11. Crime. The number of committals for trial in England and Wales in 1842, amounted to 31,309. In 1858, notwithstanding an increase to the population of 3,400,000, the committals had fallen off to 17,855. In the former year, 193 persons out of every 100,000 were therefore grave offenders against the law; in the latter, only 91, or less than half. It should be stated, however, that a portion of this most satisfactory diminution in the number of committals, is owing to the Criminal Justice Act of 1855, which authorizes magistrates to convict summarily in certain cases, with the consent of the prisoner,—and to the Juvenile Offenders Act.

Effects on Producers.

(*a.*) Wheat. The quantities of home-grown wheat returned as sold in our markets in 1842, were 4,091,235 quarters, and in 1858, 5,203,948 quarters, exhibiting an increased demand for English corn under Free Trade, to the extent of more than 1,000,000 quarters. The average price in the former year was 57 *s.* 3 *d.* per quarter; in the latter, 44 *s.* 2 *d.* That farmers

farmers can get as high a price under Free Trade while the country is prosperous, as under protection while it is badly off, is shown by the fact that the average price in two recent years (1854 and 1855) was 72 *s.* 5 *d.* and 74 *s.* 8 *d.* per quarter, or considerably higher than the average for any year since 1819.

(*b.*) Silk.

The duty on foreign silk manufactures, which formerly amounted to 30 per cent., has been reduced to 15 per cent. The exports of British manufactured silks, which amounted in 1842 to 590,189 *l.*, increased in 1858 to 2,096,300 *l.*, and in 1856 and 1857, were as much as 2,900,000 *l.* Until 1826, foreign silks were entirely prohibited; but although the British manufacturer had a complete monopoly of the home market, the trade was far from being prosperous, the exports only averaging about 350,000 *l.* per annum.

(*c.*) Wool.

In 1842 foreign wool was subject to a duty of from ½ *d.* to 1 *d.* per pound, while colonial wool was admitted duty free. In that year, 18,486,719 lbs. of colonial, and 27,394,920 lbs. of foreign wool were imported. The protection with which it was thus attempted to nurture the home and colonial producer was entirely abolished in 1844; and in 1858, while the importations of foreign wool had increased to 41,527,624 lbs., or only one-half as much again as in 1842, the importations of colonial wool increased to 85,211,099 lbs., or between four and five times their former amount, despite the loss of all protection. The production of wool at home has also largely increased at the same time. But so great is the power of consumption under Free Trade, that notwithstanding all this increase of supply, the demand has raised the price from 10 *d.* or 11 *d.* per lb. in 1842, to 1 *s.* 6 *d.* or 1 *s.* 8 *d.* per lb. in 1858, of course to the great advantage of the producer. The exports of British woollen manufactures also increased in that time from 5,185,045 *l.* to 9,776,944 *l.*, and of woollen yarn from 637,305 *l.* to 2,966,923 *l.*

(*d.*) Sugar.

Foreign sugar remained prohibited in 1842, colonial sugar paying 25 *s.* 2 *d.* per cwt. Since then foreign sugar has been admitted to compete with colonial, and the duties on all sugar have been greatly reduced, and the consumption, which amounted in 1842 to 193,423 tons, increased in 1858 to 424,523 tons. Of that amount, 156,128 tons were foreign sugar, which it was predicted would drive colonial sugar entirely out of the market, the remaining 268,395 tons coming from our own colonies, which, instead of being ruined by competition, sent us nearly 50 per cent. more than ever.

It would be easy to multiply illustrations to swell the above figures. In fact, the difficulty rather is, to select from the vast mass of evidence of every kind that has accumulated, and that continues to accumulate, to testify to the incalculable benefits that in the short space of 15 or 16 years have accrued to this country from the practical adoption of the principles of Free Trade, or, to speak more accurately, from the reversion to the simple precepts of nature, which have been so well epitomised by a great Frenchman in five short words: "*Laissez faire et laissez aller.*"

E. A. B.

Board of Trade, 19 June 1855.

(Revised and continued to the latest date, 18 February 1860.)

SILK STATISTICS (UNITED KINGDOM).

Years.	RATES OF DUTY. Raw Silk.	RATES OF DUTY. Foreign Manufactured Silks.	Imports of Raw Silk (exclusive of Thrown and Waste).	Exports of British Manufactured Silk Goods.
	Per lb.		*Lbs.*	£.
1820	From India, 4 *s.* - - Other, 5 *s.* 6 *d.* - -	Prohibited - -	2,215,691	371,775
1825	3 *d.* - - - -	Prohibited - -	2,855,792	296,736
1830	1 *d.* - - - -	30 per cent. - - (from 1826).	3,440,638	521,010
1835	1 *d.* - - - -	30 per cent. - -	3,737,480	973,786
1840	1 *d.* - - - -	30 per cent. - -	3,759,016	792,648
1845	Free from March 19 -	30 per cent. - -	4,354,696	766,405
1850	Free - - - -	15 per cent. - - (from March 1846).	4,942,407	1,255,641
1855	Free - - - -	15 per cent. - -	6,618,862	1,524,343
1856	Free - - - -	15 per cent. - -	7,383,672	2,962,056
1857	Free - - - -	15 per cent. - -	12,077,931	2,889,829
1858	Free - - - -	15 per cent. - -	6,277,576	2,096,300
1859	Free - - - -	15 per cent. - -	9,920,891	2,351,839

Board of Trade,
18 February 1860.

E. A. B.

App. No. 4.

CIRCULAR.

Foreign Office,
24 February 1857.

HER MAJESTY'S GOVERNMENT being desirous to encourage the junior members of the Diplomatic Service to turn to account the opportunities of observation afforded to them by their employment in foreign Courts, have determined to assign a specific duty to Her Majesty's Secretaries of Embassy and Legation, which will not only tend to their own improvement in their profession, but which may, if properly performed, be productive of great public advantage.

The duties to be thus specially assigned to the Secretaries of Embassy and Legation are, the collection of information relating to the commercial movements in the country where they reside, and the compilation of periodical reports on the industry, trade, and general statistics of that country. The bearing which those elements of national prosperity in the one country have on its intercourse with foreign nations, and more particularly with Her Majesty's dominions, is so important that too much pains cannot be bestowed on furnishing to Her Majesty's Government the means of forming a correct opinion upon the subject.

Her Majesty's Consuls at the outports furnish, indeed, ample reports of matters which come under their immediate observation, yet those reports are necessarily in a great measure local in their character. But Her Majesty's diplomatic servants, residing at the capitals, have opportunities for arriving at a more general appreciation of the commercial progress of the several countries, and of ascertaining the grounds on which legislative interference with the course of trade is resorted to, and the effect which such interference is calculated to have, not only on local or general interests in the countries themselves, but also on the commercial relations of those countries with foreign nations.

Her Majesty's Secretaries of Embassy and Legation, with a view to the same result, might occasionally, and with the sanction of their chiefs, visit the great manufacturing towns, and also, in maritime countries, the outports, and witness the course of business there, and if necessary suggest, from personal experience, the adoption of measures by which the trade of British subjects might obtain facilities, or be relieved from burdens and obstructions.

But while assigning this specific duty to Her Majesty's Secretaries of Embassy and Legation, it is not intended in any way to release them from the superintendence and control of the heads of missions. They will remain, as now, wholly subordinate to their chiefs, and they will report exclusively to them. On the other hand, Her Majesty's Government expect that the heads of missions will give effect to the object which they have in view, by obtaining for their secretaries access to all sources of information, by encouraging them by their support and advice, and by pointing out to them the matters to which their attention may most usefully be directed.

Her Majesty's Government will expect to receive from the heads of missions copies of the reports made to them by their secretaries, accompanied with any additional observations which they may themselves see occasion to offer. No particular form is prescribed in which such reports should be drawn up; but it may be useful to the secretaries to have before them, in the first instance, specimens of consular reports * which, in the arrangement of subjects and explanation of details, may be taken as good models for imitation.

The reports should be made at stated periods; namely, on the 1st of January and 1st of July of each year, and should be sent home by the heads of missions as soon as possible after those days.

It is unnecessary for me to dwell on the advantages which this system, if fairly executed, will carry with it; it will benefit the secretaries by giving them habits of attentive observation; it will assist the heads of missions by affording them additional facilities for arriving at a just knowledge of the resources of the countries in which they reside; and it will place Her Majesty's Government and the public at large in the possession of valuable materials on which to frame commercial legislation and to regulate commercial enterprise.

I am, &c.
(signed) *Clarendon.*

CIRCULAR.

Foreign Office,
22 July 1858.

WITH reference to the Earl of Clarendon's Circular Despatch of the 24th of February 1857, requiring that Her Majesty's Secretaries of Embassy and Legation should make periodical reports on the industry, trade, and general statistics of the country in which they reside, I have to instruct you to state to Her Majesty's Secretary of at , that in the report which he will have to furnish on the 31st of December next, he will be expected specifically to advert to the effect produced on the commerce of by the vine disease, from its first appearance to the latest moment.

The industry and trade of France (and, doubtless, of other vine-growing countries) have been, for the last few years, seriously affected by the partial destruction of the vintages, owing to the repeated appearances of the vine disease in the wine districts; and Her Majesty's Government would wish to obtain the fullest information as to the extent of the calamity, and its effects on the particular branches of commerce affected by it. Its consequences have been felt in this country, not only in the import of French wines, but in the export of distilled spirits to France, to supply the deficiency of brandy in the districts that have been visited by the disease.

I am, &c.
(signed) *Malmesbury.*

* See, more particularly, pages 11, 21, 46 to 62, 79 to 82, of the enclosed Abstracts of Consular Returns for the year 1854—Mr. Robertson, Mr. Crowe, Mr. Ward, Mr. Sandison.

CIRCULAR.

App. No. 4.

CIRCULAR.

No. .

Foreign Office,
24 January 1860.

WITH reference to the Earl of Clarendon's Circular Instruction of the 24th of February 1857, requiring that Her Majesty's Secretaries of Embassy and Legation should send in half-yearly reports on the commerce, industry, and statistics of the country in which they reside, I have to state to you that, in addition to, and distinct from these reports, the Secretaries of Embassy and Legation will be expected henceforth, within 30 days from the commencement of each year, (the date of your receipt of this Despatch being taken to be the commencement of the year 1860, for the purposes of this instruction,) to send in a concise report, accompanied by such tabular Returns as they may be able to procure, of the finances, public credit, shipping, commerce, manufactures, and agriculture of the several countries in which they have resided during the past year.

It may possibly happen that the yearly Returns on these subjects, which Foreign Governments are more or less in the habit of publishing, may not be issued at the time prescribed for these reports; but I can have little doubt that by duly taking advantage of the opportunities which, if sought for, may be obtained in every capital, and by availing themselves of the facilities which Her Majesty's Ambassadors and Ministers can, doubtless obtain for them, Secretaries of Embassy and Legation will be able to comply with my instructions in this respect, which you will at once convey to the secretary attached to your mission, wherever he may be.

I take this opportunity to observe, though I do not intend the observation specially to apply to any particular Embassy or Legation, that very slight attention is, in many cases, paid to the injunction contained in Lord Clarendon's Despatch as to the reports being made on the specific dates of the 1st of January and 1st of July of each year; as a proof of which, I may say that only three reports have yet been received from any Embassy or Mission for the half-year ending the 31st of December last.

Now, I wish that heads of missions would point out to their secretaries that these omissions do not pass unnoticed; and that the impression which they are calculated to produce on the Secretary of State for Foreign Affairs, and on the public at large, who, from the reports being laid before Parliament, have an opportunity of judging of shortcomings in this respect, is not of a nature to establish their reputation as qualified candidates for future advancement in the diplomatic career. The duty and attention required in this respect of secretaries are not onerous; and, indeed, are rather such as, if they are desirous of becoming really useful public servants, they ought to perform zealously and without grudging.

The object which was contemplated by Lord Clarendon's Despatch, was to give secretaries encouragement to improve themselves in general knowledge, in regard to matters with which in the course of their subsequent career they might have to deal; and opportunities of showing to Her Majesty's Government, and to the public, how far they were qualified for any duties which might be entrusted to them.

I have reason to suppose that some misapprehension prevails in regard to the obligation on the part of secretaries to furnish reports in that capacity when acting as Chargé d'Affaires, or when absent on leave, or only recently appointed to a post. I have, therefore, to desire that it may be understood that Secretaries of Legation are not exempted from the duty of reporting in consequence of being, for the six months preceding the date of their report, or, for any portion thereof, acting as Chargé d'Affaires.

2dly. That absence on leave does not exempt a secretary from making his reports at the stated times; he must obtain materials for those reports from the place at which he holds the appointment.

3dly. That although a secretary may not be able to make his first report unless he has actually resided at the place where he holds the appointment for three months from the date of his nomination, yet, in the case of a transfer, such secretary will be expected to make his half-yearly report as from the place from which he has been transferred.

4thly. I have to observe that, for the future, the half-yearly reports must be completed by the secretaries at the Courts of Europe, and despatched so as to arrive in the Foreign Office by the 1st of February and 1st of August in each year.

I have also to notice another misapprehension which, I believe, prevails in regard to the clause in Lord Clarendon's Despatch, which authorises occasional visits to great manufacturing towns, or to seaports. Such visits are not, as is supposed by some, an indispensable requisite for making a report. On the contrary, the Circular distinctly contemplated that the reports should be the result of inquiries made at the capitals, where it might be supposed that all information of interest would centre; and permission to visit outlying places was merely given as affording, if required, additional means of obtaining knowledge, but certainly not with the view of superseding the knowledge which might be derived from a proper use of the general information which the capitals of countries furnish the best opportunity for acquiring.

I have to instruct you to impress upon the secretary attached to your mission the obligation of strictly attending to the rules laid down by Lord Clarendon, and in my present Despatch; and that those rules may be patent, and at all times present to the secretary, I furnish you with copies of the two instructions, which are to be permanently fixed in the diary of the correspondence of the mission; and you will send a copy of this Despatch without delay to the secretary of your mission, if he should not be at his post.

I have further to instruct you, in reporting to me that this last direction has been complied with, to acquaint me what part of the public business of the mission is undertaken by the secretary; and whether he is in daily attendance at the Diplomatic Chancery, the business of which, as ranking next to the minister, it is his special duty to superintend, in order to see that the same is duly conducted according to the instructions and wishes of his immediate official superior, and the general practice of the public service.

I am, &c.
(signed) *John Russell.*

App. No. 4.

CIRCULAR.

No. .

Foreign Office, 31 March 1860.

FROM representations and excuses which I have received from several of Her Majesty's Secretaries of Legation in regard to their half-yearly reports, I perceive that much misapprehension prevails among them as regards the principle on which they are required to make those reports by the 1st of February and 1st of August in each year.

It is very generally alleged that they cannot make a report by the 1st of February, because the statistical information which they desire to work up into their reports is not usually forthcoming at that time. This would be a very reasonable excuse if the reports were annual instead of half-yearly; but it is not so as the case stands.

The object for which Secretaries of Embassy and Legation are required to make periodical reports is not so much to obtain by that means the latest statistical information, but to impose upon the secretaries the duty of keeping their attention constantly alive to all matters connected with the industry, commerce, and resources of the country in which they reside, and of reporting either generally upon the whole or specifically upon any branch of them. I will not give particular instances in which secretaries have clearly apprehended the object which Her Majesty's Government have in view, and have furnished in accordance with it most valuable and interesting reports. The secretaries who have misapprehended the object, on reference to the collection of reports periodically sent to the missions, will have no difficulty in perceiving to what I refer: and I should wish secretaries generally to understand, that without setting aside altogether detailed statistical information, which in many cases is very valuable, that to which they should particularly direct their attention, is a half-yearly review of the industrial movements in the country where they reside, either general or confined to any particular branch of industry.

If the statistical tables and other public documents which they desire to append to their reports, are not issued in time to be adverted to in the February report, they may be reserved for notice in the August report; but I cannot admit the delay in the issue of such documents to be pleaded in excuse for delay in making the reports at the specific half-yearly periods stated in my Circular No. , of the 24th of January last.

You will furnish Her Majesty's Secretary of Legation with a copy of this Despatch.

I am, &c.
(signed) *John Russell.*

CIRCULAR TO MINISTERS ABROAD.

Foreign Office, 25 April 1863.

IT being of great importance to the commercial interests of this country that the fullest and earliest information should be conveyed to the British commercial community regarding all matters relating to the commerce of Foreign countries, not only with respect to the direct commerce between such countries and Her Majesty's dominions, but also to their commerce with other foreign countries, I have to instruct you to pay particular attention to all official announcements which may be made in any manner in the country in which you reside, bearing upon either description of commerce; and to forward to this office, in duplicate, by the earliest opportunity after such publication, copies of any notices affecting tariffs, or relating to commerce, navigation, and currency, whether such notices solely relate to the trade of the country in which you reside, or are notices regarding the trade of other countries.

The object of this instruction is to enable Her Majesty's Government to make such information known, without loss of time, to British trading interests, through the "London Gazette."

The secretary of your mission should take special charge of this subject.

I am, &c.
(signed) *Russell.*

CIRCULAR.

No. .

My Lord,
Sir, Foreign Office, 23 May 1864.

I WISH to direct the attention of Her Majesty's representatives at foreign courts to the adoption in their respective chanceries of a practice similar to that which Secretaries of Embassy and Legation are now required to conform, and to suggest to them the expediency of requiring the junior members of their several chanceries, as often as opportunity may arise, to draw up reports on matters of public interest, more especially those relating to the commerce and industry of the country in which they reside, upon which it is necessary that heads of missions should be accurately informed, in order that in their turn they may keep Her Majesty's Government fully acquainted with all matters bearing on the commerce and industry of the country.

The general occupations of heads of missions may prevent them from devoting to the examination and digestion of materials, the amount of time and attention which may be absolutely necessary in order that they may be presented to Her Majesty's Government, and through them to the trading and manufacturing interests of the country, in a clear and practical shape.

But this may be done by the industry and ability of the junior members of missions, if rightly encouraged and directed; while, on the other hand, those gentlemen will derive great advantage from having their minds exercised, and their attention engaged on subjects requiring more thought and consideration than the ordinary routine business of a chancery.

I have dwelt more particularly on questions of commercial industry, to which the attention of the junior members of the diplomatic service may be directed, because they generally involve details which it requires time and industry to reduce into shape; but I by no means desire to exclude matters of general political interest. My object is, that every encouragement should be held out to those gentlemen to improve the opportunities which are afforded to them in foreign countries of acquiring knowledge and habits of observation which may qualify them hereafter for the higher duties to which they aspire.

I am, &c.
(signed) *Russell.*

Her Majesty's Ambassador,
or Minister at

Regulations for the Examination of Attachés in Her Majesty's Diplomatic Service.

Candidates for the situation of Attaché in Her Majesty's Diplomatic Service must be prepared to undergo an examination before the Civil Service Commissioners within six months after their nomination, if they elect to undergo only one examination (which single examination will, in that case, exempt them from any further examination previously to their receiving commissions as secretaries); or within three months if they prefer to undergo two examinations as heretofore. In the latter case the second examination may be deferred until the candidate is prepared to undergo it.

Candidates on presenting themselves for examination on their nomination must have completed the twenty-first year of their age, and not have exceeded the twenty-sixth.

In the case of candidates electing to undergo only one examination, such examination will comprise the following matters:—

a. Orthography and handwriting.

b. General intelligence, as evinced by the manner in which the candidate acquits himself, and specifically by the quickness he may show in seizing the points in papers read to him, or read over by him, once or twice.

c. Précis.

d. The candidate must satisfy the examiners that he is thoroughly well grounded in the Latin grammar, and that he is able to construe and parse a portion of some good classical Latin author, and to give the derivations of words.

e. An accurate knowledge of French grammar, fluency in French conversation, correctness of translation from French into English, and from English into French, and French composition.

f. An accurate knowledge of German grammar, a tolerable degree of fluency in German conversation, and correctness of translation from German into English, and from English into German.*

g. A fair knowledge of the political history of Europe, and of North and South America, from the year 1660 to 1860 inclusive, and of the most important international transactions during that period.

h. A general knowledge of geography.

i. The first four rules of arithmetic and decimal fractions as given with examples in Colenso's arithmetic.

j. The first book of Euclid.

k. A general knowledge of maritime and international law, to be acquired from Wheaton's "Elements of International Law," and the first volume of Kent's "Commentary."

l. Candidates will be allowed, at their option, to be examined in Spanish and Italian, in addition to the above subjects.

In the case of candidates electing to undergo two examinations, the first examination will comprise the following subjects:—

1. Orthography; 2. Handwriting; 3. Précis; 4. Latin; 5. Arithmetic; 6. Geography.

7. General intelligence, except as regards specific tests.

8. An accurate knowledge of French grammar, correctness of translation from French into English, and such a facility of speaking French as may show aptitude for acquiring fluency after a residence abroad.

9. An accurate knowledge of German grammar.

10. A general knowledge of the political history of Europe, and of North and South America, from 1790 to 1815, comprising an acquaintance with the most important international transactions of that period.

In either case, candidates who have passed the first public examination in classics at one of the Universities in Great Britain or Ireland will be exempted from being examined in Latin.†

Candidates who shall have elected to undergo two examinations must, on their second examination, be prepared to satisfy the examiners, if required to do so, as to their acquaintance with the various matters which come within the single examination (except as regards Latin, geography, and arithmetic, in which such candidates are exempted from being re-examined); and they will, moreover, be required, for their second examination, to draw up a report on the general commercial and political relations of the several countries in which they may have resided; and on the internal polity and administration, the social institutions, and the character of the people of such countries.

If a candidate offering himself for the single examination should fail to satisfy the Commissioners to the required extent, but should evince such a knowledge of the subjects on which he may have been examined as would have obtained for him a certificate of fitness if he had only offered himself for a first examination, the Commissioners will, in such case, give a certificate as for a first examination; and the candidate will eventually have to present himself again before the Commissioners for the second examination.

Foreign Office, 15 September 1862.

Bradford Chamber of Commerce.

9 April 1864.

The English Government and Foreign Commerce.

Sir,

On the 15th of April instant, Mr. Forster, the Member for Bradford, will "call the attention of the House of Commons to the arrangement between the Foreign Office and the Board of Trade in reference to trade with foreign nations, and move for a Select Committee thereon."

The accompanying statement was prepared for the use of the Associated Chambers of Commerce at their meeting held on the 23d and 24th February last; I am instructed by the Council of the Chamber to transmit a copy to you, and to express

* If a candidate going up for his second examination should not, in the interval between the two examinations, have resided a reasonable time, twelve months for instance, in Germany, he shall be at liberty, if he should so desire it, to substitute for conversation in German conversation in some other foreign language besides French.

† In this case the candidate, on going up for examination, must exhibit to the Civil Service Commissioners a certificate from the duly-constituted authorities, examiners or others, as the case may be, in each University, that he has passed the first public examination in classics, in whatever manner that examination may have been conducted, and to whatever points it may have been directed.

App. No. 4.

express a hope that its perusal will induce you to support the motion, of which Mr. Forster has given notice, and which he was requested to move by a unanimous vote of the Association of British Chambers of Commerce.

I have, &c.
John Darlington, Secretary.

BRADFORD CHAMBER OF COMMERCE.

31 December 1863.

THE Bradford Chamber of Commerce has given notice to the Standing Committee of the Associated Chambers, of the intention to propose, at the next annual meeting, the following resolution:—

> That the Association take immediate steps to obtain an inquiry in Parliament, into the present manner of conducting the public business, having reference especially to all commercial questions which require the action of Her Majesty's Government in foreign countries.

In accordance with the 9th rule of the Association, the Bradford Chamber of Commerce has desired the Standing Committee to circulate amongst the Associated Chambers the following facts and reasons in support of the proposed resolution:

Particular attention was drawn in last year's Report of the Association:—

To the unsatisfactory state of the tariff rates in many foreign countries.

To the unfair restrictions yet imposed by some maritime states upon British shipping; and,

To the necessity for an improved system in the Government offices now charged with the duty of representing the interests of the English manufacturers and shippers in their relations with foreign countries.

Though the tariffs and differential duties on shipping have for the most part undergone no change during the past year, it is gratifying to observe many signs of an almost universal desire on the part of European Governments to adopt a more liberal system of import duties, to abolish obsolete regulations, and to afford greater facilities for international intercourse.

The principal changes to be noticed are the following:—

The Commercial Treaty with Italy, to which allusion was made in the last report in connection with that between Italy and France, has been signed and ratified; and England is now placed upon the footing of the most favoured nation. Satisfactory as it is to know that our productions will in future be admitted into Italy on no worse conditions than those of other countries, it is still a matter of serious moment that we have been obliged to accept a mere reciprocity treaty, while France has been engaged in minute and protracted discussions upon the details of the future Italian tariff, the rates of which will ultimately be imposed upon French and English goods alike, possibly, in some instances, to the detriment of the British trader.

Before the conclusion of this treaty, and at the request of the Associated Chambers, a distinguished official of the Board of Trade was sent to Turin to give weight to the observations which had been made by several chambers upon the terms of the Franco-Italian Treaty, but he was obliged to return without having accomplished his object, because his mission had been deferred until the time for useful action had passed away.

It is understood that the Italian Government will be ready to listen to the representations of England for the remodelling of their tariff, after the ratification of their treaty with France, and thus it may yet be possible to obtain an alteration of those rates which are injurious to some branches of British industry, if our Government be not again too dilatory in urging them upon the attention of the Italian Cabinet.

The English Government may not have had the power, and decidedly never had the desire to bargain in the same manner as France for commercial advantages, but there cannot be a doubt that it is the duty of Government to watch the negociations between friendly powers from their very commencement, with the view of preventing, by every legitimate means, such tariff rates as might otherwise be agreed upon to the injury of British interests.

Sweden, which during the past year has made a most important move towards free trade by abolishing the duties upon exports, is at this moment negociating a commercial treaty with France. The importance of our Government taking advantage of the opportunity thus offered to benefit British commercial interests, will be appreciated by the Chambers if they consider that the imports from Sweden into this country in 1861 amounted to 2,620,720 *l.*, whilst our exports to Sweden of British productions were only 608,954 *l.*

In a memorial which the Bradford Chamber of Commerce has recently presented to Government upon this subject, the cause of this disproportion is ascribed to the operation of a tariff which is one of the highest in the world, the Russian alone excepted.

Austria, whose treaty with the Zollverein expires with the next year, will most likely be prepared to make great changes in her tariff, and in her general commercial policy; and a circular has lately been issued by the Austrian Government to the Chambers of Commmerce of the Empire, asking for their opinions upon these changes, "from the point of view of the interests of their respective districts;" such reports to be sent to the Minister of Commerce not later than the last day of February.

Prussia and the Zollverein will be obliged to re-arrange their whole custom dues system, owing to the Franco-Prussian Treaty, which will come into operation on the 1st January 1865.

Spain has during the past year shown signs of a fixed intention to abandon the excessively high protective duties by which she has isolated herself from the rest of the world; and this country also may be expected to make a steady, though perhaps slow, progress towards free trade.

The Papal Government has likewise entered upon the path of fiscal reform.

Even Russia has made some changes in her tariff which, though not of great importance, are all in the right direction; and there is reason to believe that if the British Government had exercised sufficient vigilance at the Court of St. Petersburg, the reductions which have been made might have been more to the benefit of English productions than they actually are.

Portugal and some other countries have made changes only important in so far as proving that they all feel the necessity of adapting their tariffs to sounder principles, and it is evident that the

the movement towards perfect liberty of commercial intercourse begun by Great Britain, and vigorously followed up by France, is rapidly spreading all over the world. No change can be made in any country without affecting British interests either beneficially or otherwise, and the chambers of commerce will no doubt continue to study tariffs, regulations, and treaties, for the purpose of informing Her Majesty's Government of their probable effects upon the trade of their special districts.

The Associated Chambers, and the Chambers individually, may claim credit for not having heretofore neglected this duty; but they have to complain, not of any want of courtesy, but of a great want of efficiency on the part of Government in making use of the information thus given, and of not making use of it at the proper time and in the proper place.

The Bradford Chamber of Commerce is anxious to direct the most serious attention of the association to the necessity of finding a remedy for this defect, the cause of which may be distinctly traced to the double machinery and the divided responsibility of the departments now entrusted with the duty of protecting England's commercial interests.

The Board of Trade, under its present organization, is too much occupied with the administrative duties connected with shipping, lighthouses, railways, and other important interests to attend duly to the many questions constantly arising from the vast foreign commercial transactions of the country, and it has a valid excuse for this neglect in the fact that it possesses no power for efficient external action.

The public business connected with foreign commerce is actually conducted by the Foreign Office through the consuls and diplomatic agents abroad, whom it appoints and corresponds with. These agents have no direct official connexion with the Board of Trade, which nevertheless is ostensibly responsible for the whole commercial interests of the country. A simultaneous and joint action of the two offices would be necessary for the due discharge of this important duty, but the business of the country suffers, because such united action is incompatible with the present system.

Thus it frequently happens that important questions to which the attention of the Foreign Office has been called are referred to the Board of Trade, or *vice versa;* sometimes both take action at the same time, the one being ignorant of the other's proceedings, or, more frequently still, entire inactivity is the consequence of each department expecting the other to take the initiative.

The evils arising from this divided responsibility have become of such frequent occurrence and of such magnitude that it is hoped the meeting will not separate without deciding upon a line of action for the removal of this grievance.

The Bradford Chamber of Commerce feel assured that a motion for a Committee of Inquiry, if supported by the united approval and influence of the association, could be carried in the House of Commons, and that evidence would be given before that Committee of sufficient weight to convince the House and the country of the necessity and expediency of entrusting one department of Government only with the responsibility of attending to all questions relating to foreign trade, and of giving to that department the necessary organization for the efficient discharge of this important duty.

H. W. Ripley, President.
John Darlington, Secretary.

App. No. 4.

(Confidential.)

MEMORANDUM.

AT the commencement of the year 1861, the Foreign Office circulated abroad, at the instance of the Board of Trade, a printed Memorandum in support of an unrestricted trade in rags.

The policy advocated in that Memorandum has subsequently been adopted by Sweden, and partially by Italy. France and Belgium, in the same period, have imposed duties in the place of prohibition, and a reduction of duty has been effected in Holland.

Spain is now the only country in which the export of paper-making rags is entirely prohibited.

The highest duty is levied by the Zollverein, and very heavy duties are still imposed by the tariffs of Austria, Russia, Portugal, France, Belgium, Holland, and Denmark.

The free importation of rags is now permitted in the United Kingdom, Sweden, Norway, and Hamburgh, and under the recent treaties between Italy, and England and France respectively, a similar exemption is extended to rags exported from the former to the latter countries, while only moderate duties are levied in Switzerland, Greece, and Turkey.

In renewing a representation in favour of an unrestricted trade between all countries in the raw material of a very important manufacture, it may be stated that after an interval of three years there is no reason to believe that an incorrect view was taken of the operation of an export duty upon rags in the Memorandum circulated by the English Government in the year 1861. In acknowledging the receipt of that Memorandum, it was admitted on the part of some of the foreign Governments that the rates of duty were excessive, and encouraged smuggling. There can scarcely be a doubt that in contiguous countries, where high duties prevail, rags are smuggled to a considerable extent from one country to the other, and pass in transit through the second country as foreign produce.

The high export duties upon rags are held to be objectionable, not only on account of encouraging a contraband trade, but also because they are believed to operate injuriously upon the production and consumption of paper in the countries which so restrict the export of rags. No country is dependent upon any other country for the supply, or even a considerable part of the supply of its raw material for the manufacture of paper.

The paper manufacturers will, as a rule, obtain their chief supply of rags in the home markets from the home supply. There can be no apprehension, therefore, that a free trade in rags would occasion the markets of any particular country to be stripped of any considerable portion of the home-produced rags for the supply of any foreign country.

If the paper makers obtain an advantage in the price of the home-produced rags because of the high export duties, they must gain that advantage at the expense of the collectors and producers of rags, and they enjoy it probably without affording an equivalent cheapness to the paper consumers.

An artificial depression of price must check production, and if the export duties upon rags were removed, the production would probably be so far increased under the freedom of trade, as in the course of time to afford a sufficient supply for the home and foreign demands.

An increased supply of rags would, it is believed, be advantageous for all countries. It is not

App. No. 4.

possible to ascertain the fact from the commercial return, but, as rags appear in the accounts of the general imports of nearly all countries, it is probable that there is scarcely a country in which there is not now a home consumption of some quantity of foreign rags. It is not probable that the supply of home-produced rags, at an artificially reduced price, is equally available to the paper makers located in different districts of large countries.

The paper manufacture is probably carried on in parts of many counties where a supply of rags from a foreign but adjacent market would be a matter of convenience and saving, in comparison with a supply from a distance at home. The removal of the restrictions upon the export of rags is desirable also, because of the different qualities of rags produced in different countries where the strong and superior kinds are chiefly produced, a portion might be exported, and an inferior quality imported for mixing without detriment to any interest.

In several of the countries which impose a duty upon the export of rags, no other export duty remains upon the tariff. The removal or reduction of the duty in question will help to place the general supply of the raw material of an important manufacture upon a better footing than it is at the present time.

(Confidential.)

Sir *J. Emerson Tennent* to Mr. *Layard.*

(Received January 13).

Office of Committee of Privy Council for Trade,

Sir, Whitehall, 11 January 1864.

As it is understood that a conference will take place in Berlin during the present month upon the provisions of the Zollverein Tariff, it appears to this Board that an opportunity may be afforded for urging upon the Prussian and other Governments concerned, the adoption of a more liberal policy as regards the exportation of rags and other materials for paper making.

The retention of a high export duty upon the principal material of paper by the tariffs of the Zollverein States and other countries in Europe has been a source of great dissatisfaction and frequent remonstrance upon the part of the English paper makers since the repeal of the import duty upon foreign paper.

The opening of our markets has been followed by considerable and increasing importations of paper.

It is doubtful whether the foreign makers enjoy the advantages in manufacturing paper for our markets, attributed to them by their English rivals, in consequence of the existence of export duties upon rags. But as the maintenance of such duties is clearly injurious to our paper makers in restricting the sources of their supply of rags, and affords an unwise protection to the foreign paper makers themselves, my Lords are of opinion that no revision of a foreign tariff should be allowed to take place without an effort on the part of the English Government to procure the removal or modification of the duties in question.

I am, therefore, to request that you will submit to Earl Russell the enclosed Memorandum, which has been prepared in this Department, in continuation of that which was transmitted to the Foreign Department in my letter of the 5th of January 1861, and circulated among several foreign Governments; and that you will suggest to his Lordship that a communication on the subject should be at once addressed to the several Governments of the Zollverein States, and that corresponding representations might be also made to the Government of each country in which, as already mentioned, a heavy export duty upon rags is still levied.

My Lords conceive that the French Government might probably be found disposed to support the representation to the Zollverein and other Governments, as it was understood that France would be ready to abolish the duty upon rags when the neighbouring countries would agree to do the same.

I have, &c.

(signed) *J. Emerson Tennent.*

Appendix, No. 5.

PAPERS handed in by Mr. *Hammond*, 1 July 1864.

CORRESPONDENCE with the ASSOCIATION of CHAMBERS of COMMERCE. App. No. 5.

No. 1.

Memorial from the Association of Chambers of Commerce of the United Kingdom.

To the Right Honourable Earl *Russell*, K.G., &c., &c., Her Majesty's Principal Secretary of State for Foreign Affairs.

The Memorial of the Association of Chambers of Commerce of the United Kingdom (of which are members the Chambers of Commerce of Belfast, Birmingham, Bradford, Bristol, Coventry, Dewsbury, Gloucester, Goole, Halifax, Huddersfied, Hull, Kendal, Leeds, Middlesborough, Nottingham, Newcastle-on-Tyne, Sheffield, Staffordshire Potteries, and Wolverhampton), assembled at their annual meeting this 24th day of February 1864,

Humbly showeth,

THAT your memorialists understand that the arrangement between the Foreign Office and the Board of Trade is at present as follows:—

That the Foreign Office takes action in commercial matters solely in concert with the Board of Trade.

That, consequently, communications from Her Majesty's Ministers and Consuls abroad on commercial matters are forwarded by the Foreign Office to the Board of Trade, in order that through such Board they may (if deemed desirable) be communicated to commercial men; and that, on the other hand, the suggestions of such commercial men for action by the Foreign Office in commercial matters are expected to be made to the Board of Trade.

That while gratefully acknowledging the desire, both on the part of your Lordship, of the President of the Board of Trade, and of the staff of both offices, to promote the interests of commerce, your memorialists have found by experience that this double action tends to defeat the fulfilment of that desire.

That the present moment throughout the continent of Europe towards free trade (consequent on the reduction of its tariff by the French Government), makes it especially necessary that our Government should give constant and unremitting attention to all questions connected with foreign tariffs (especially to any changes that may be contemplated in them), and should be ready to take prompt action on information obtained; while at the same time it makes it especially undesirable that English manufacturers should find themselves compelled, by want of such prompt action, to make in Parliament or through the press such public expression of their wishes, as tends to their defeat by alarming manufacturers abroad.

That, therefore, your memorialists cannot but think that the interests of trade would be greatly promoted, if commercial men in this country were put in immediate and direct communication with those who are responsible for the action of Government in commercial matters with foreign countries.

And your memorialists will ever pray, &c.

Signed on behalf of the Association in pursuance of an unanimous vote of the Annual Meeting.

(signed) *Sampson S. Lloyd*,
Chairman.

Office of the Association,
22, Abingdon-street,
24 February 1864.

No. 2.

Mr. *Hammond* to Mr. *Lloyd*.

Foreign Office,
Sir, 10 March 1864.

I AM directed by Earl Russell to acknowledge the receipt of the Memorial of the Association of the Chambers of Commerce of the United Kingdom, dated the 24th of February, stating that while acknowledging the desire both on the part of his Lordship, of the President of the Board of Trade, and of the staff of both offices, to promote the interests of commerce, the memorialists have found by experience that the double action of the two departments, as in the main correctly described by them, tends to defeat the fulfilment of that desire; and that the memorialists therefore think that the interests of trade would be greatly promoted, if commercial men in this country were put in immediate and direct communication with those who are responsible for the actions of Government in commercial matters with foreign countries.

Lord Russell directs me, in the first place, to state to you that he fully shares in the opinion of the memorialists, that it is essentially necessary that Her Majesty's Government should give constant and unremitting attention to all questions connected with foreign tariffs, and particularly to any changes contemplated in them, and should be ready to take, when requisite, prompt action on information obtained; and I am to assure you that such constant and unremitting attention is given by Her Majesty's Government to those matters, and such action taken when circumstances appear to warrant or to call for it.

App. No. 5.

I am in the next place to state to you, that the Secretary of State for Foreign Affairs has always been, and will continue to be ready to receive either from mercantile associations, or from individual merchants, any communications on commercial matters which they may desire to address to him directly; and upon all such subjects the Foreign Office and the Board of Trade fully interchange information and opinions with a view to arrive at sound and definite conclusions.

I am, &c.

(signed) *E. Hammond.*

(Confidential.)

REPORTS from HER MAJESTY'S MINISTERS, at the PRINCIPAL EUROPEAN COURTS, as to the RELATIONS between the FOREIGN OFFICE and the MINISTRY of COMMERCE in the Countries in which they reside.

LIST OF PAPERS.

INSTRUCTIONS addressed to Her Majesty's Ministers at the Principal Courts of Europe - - - - - - Page 276

REPLIES.

No.		1864.	Page
1	Mr. Grey to Earl Russell - -	24 April	277
2	Sir A. Buchanan to Earl Russell - - (Telegraphic).	17 April	278
3	Sir A. Buchanan to Earl Russell - -	19 April	278
4	Lord Bloomfield to Earl Russell - - (Telegraphic).	18 April	279
5	Lord Bloomfield to Earl Russell - - One Enclosure.	17 April	279
6	Lord Bloomfield to Earl Russell - -	28 April	279
7	Sir H. Howard to Earl Russell - -	22 April	280
8	Sir H. Howard to Earl Russell - -	20 May	280
9	Sir A. Malet to Earl Russell - -	21 April	281
10	Mr. W. Ward to Earl Russell - - (Telegraphic).	18 April	281
11	Mr. W. Ward to Earl Russell - -	18 April	281
12	Mr. W. Ward to Earl Russell - -	23 April	281
13	Mr. J. Ward to Earl Russell - -	29 April	282
14	Lord Howard de Walden to Earl Russell (Telegraphic).	17 April	282
15	Lord Howard de Walden to Earl Russell	18 April	282
16	Lord Howard de Walden to Earl Russell One Enclosure.	24 April	283
17	Lord Napier to Earl Russell - - (Telegraphic).	17 April	284
18	Lord Napier to Earl Russell - -	18 April	284
19	Mr. Elliot to Earl Russell - - - (Telegraphic).	18 April	284
20	Mr. Elliot to Earl Russell - - - One Enclosure.	18 April	285
21	Mr. Elliot to Earl Russell - - - One Enclosure.	13 May	285
22	Sir A. Magenis to Earl Russell - - (Telegraphic).	18 April	286
23	Sir A. Magenis to Earl Russell - -	20 April	286
24	Sir J. Crampton to Earl Russell - - (Telegraphic).	17 April	287
25	Sir J. Crampton to Earl Russell - -	21 April	287
26	Rear-Admiral Harris to Earl Russell - One Enclosure.	30 April	287
27	Mr. Gordon to Earl Russell - -	2 May	288
28	Mr. Gordon to Earl Russell - - Two Enclosures.	4 May	289
29	Mr. Bonar to Earl Russell - - -	1 May	290
30	Mr. Lytton to Earl Russell - - - One Enclosure.	3 May	290
31	Mr. Jerningham to Earl Russell - - Two Enclosures.	6 May	291

INSTRUCTIONS addressed to Her Majesty's Ministers at the Principal Courts of Europe.

(Telegraphic.)

Foreign Office, 16 April 1864.

REPORT shortly by telegraph, and as soon as possible in detail by post or otherwise, on the relations between the Foreign Office and the Ministry of Commerce in the country where you reside; whether the Foreign Office, in dealing with foreign countries on commercial questions, acts independently of, or in communication with, the Ministry of Commerce; what are the precise duties of the commercial branch in the Foreign Office, where it exists, and whether it supersedes reference to the Ministry of Commerce; whether the latter corresponds directly with, and gives directions to, ministers at foreign courts in regard to commercial matters and negociations irrespective of the Foreign Office.

(Circular.)

Sir, Foreign Office,
My Lord, 19 April 1864.

A COMMITTEE of the House of Commons will shortly be appointed to inquire into the relations between the Foreign Office and the Board of Trade, with the view of ascertaining whether some change might not be made in the manner of conducting the business of those departments with regard to the correspondence on commercial questions carried on by this office with their diplomatic and consular agents abroad.

The practice now observed in these departments is this:—

Her Majesty's Ministers and Consuls abroad are required to forward to the Foreign Office the fullest information upon the commerce of the country in which they reside, not only with the United Kingdom, but with other countries, and to give the earliest notice of any change that may be contemplated in its commercial relations.

These

These reports are at once sent to the Board of Trade, where they are fully considered with reference to existing commercial treaties, and to their bearing upon the general trade of this country.

If it should appear desirable to make any communication with reference to them to foreign Governments, the Board of Trade points out the nature of the communication to be made, and the Foreign Office sends instructions accordingly to Her Majesty's agents abroad.

Representations addressed to the Foreign Office upon matters concerning our commercial relations with other countries, by commercial associations or by individuals, are, excepting in such cases when such reference is palpably unnecessary, referred to the Board of Trade for their consideration and advice.

As a general rule it is held that the Board of Trade, being fully conversant with the commercial interests of the country, and being in constant communication with the industrial classes, is most competent to form a just opinion upon matters of trade, and to determine how far it may be expedient to suggest to the Foreign Office to call the attention of a foreign Government to any special subject connected with them. There is no department in the Foreign Office specially charged with matters of trade, which are dealt with by the divisions according to the countries to which such matters may relate. The only exception is that of the preparation of drafts of commercial treaties, which devolves upon the department which is charged with the preparation of all treaties and conventions.

You will understand from what has been said in this Despatch that the point on which information is principally required is, the relative action of the Ministry of Foreign Affairs and of the Ministry of Commerce in the country in which you reside.

I shall, moreover, be glad to receive from you any information as to the course pursued by the Government to which you are accredited, when negotiating a question of trade with other countries, and as to any arrangement that may exist for dealing with commercial questions in the Ministry of Foreign Affairs or of Commerce.

I have only to add that, as the Committee will meet shortly, such information as you can supply must be transmitted with as little delay as possible.

I am, &c.
(signed) *Russell.*

REPORTS from Her Majesty's Ministers at the principal European Courts as to the Relations between the Foreign Office and the Ministry of Commerce in the Countries in which they reside.

No. 1.

Mr. *Grey* to Earl *Russell.*

(Received April 25.)

My Lord, Paris, 24 April 1864.

IN reply to your Lordship's Despatch, marked Circular, of the 19th instant, to Earl Cowley, asking for information as to the relative action of the Ministry for Foreign Affairs and of the Ministry of Commerce in France, I have the honour to report as follows:—

There is in the French Foreign Office a department specially charged with matters of trade. This department is called "La Direction des Consulats et Affaires Commerciales," and is divided into three sub-departments (sous-directions), namely,

1. The sub-direction for the south and the east.

2. The sub-direction for the north; and,

3. The sub-direction for America, India, and China.

The staff of the Commercial Department is accordingly composed of one director-in-chief, and three sub-directors. To each sub-direction there is attached one principal clerk, called a "rédacteur," two senior clerks, three assistant clerks, and a certain number of supernumeraries.

The business of the Commercial Department of the French Foreign Office is to examine and watch all commercial questions arising abroad, to draw up, and, if necessary, to interpret Treaties of Commerce and Navigation, and all conventions relating to copyright, to the connection of French with foreign railroads, to international telegraphs, and to the fisheries; to submit to the Minister such measures as may be deemed essential for the protection of French commerce with foreign countries; and to investigate and report on all claims or representations on commercial matters which may be addressed to the French Government by that of other countries. The financial accounts of the consulates and of consular agents and dragomans are also under the control of the department.

In all the above questions (with the exception of that last mentioned), the Foreign Office acts in concert with such other departments of the Administration as may be concerned in the matter; for instance, it acts in concert with the Ministries of Commerce and Finance in questions relating to the negotiation or interpretation of Treaties of Commerce and Navigation; with the Ministry of the Interior in questions relating to literary property or copyright, and to international telegraphs; with the Ministry of Public Works in questions relating to French and foreign railroads; and with the Ministry of Marine in matters concerning the fisheries.

But the French Foreign Office is alone authorized to correspond directly with French diplomatic agents abroad, or with foreign representatives accredited in France. In all questions, whether commercial or not, which involve the necessity of communicating with a foreign Power, even if it be only for the purpose of obtaining some simple piece of information, the Ministry of Commerce, as well as every other department of the Administration, is obliged to have recourse to the Foreign Office, which decides whether such communication is advisable or expedient. One department alone, the Ministry of Marine, has the power of corresponding directly with the agents of the French Government abroad on the subject of certain special matters which concern the merchant service, such as questions of salvage, compensation for damages, payment of seamen's wages, &c.

I have, &c.
(signed) *W. G. Grey.*

App. No. 5.

No. 2.

Sir *A. Buchanan* to Earl *Russell.*

(Received April 17.)

(Telegraphic.)

Berlin, 17 April 1864.

MINISTER of Foreign Affairs and Minister of Commerce act in concert in foreign commercial questions. Two Commissioners are generally named to negotiate treaties; one from Ministry of Commerce, and one from Commercial Department of Foreign Office. Approval of Minister of Commerce always asked before nomination of Consuls, but final decision rests with Foreign Office.

If the two departments were to disagree on questions of commercial policy, the decision would probably be referred to the Cabinet and the King. The commercial section of foreign affairs is entirely subordinate to the Minister of Foreign Affairs, and has no action of its own. Minister of Commerce cannot communicate with diplomatic or consular agents abroad except through Foreign Office.

No. 3.

Sir *A. Buchanan* to Earl *Russell.*

(Received April 21.)

My Lord, Berlin, 19 April 1864.

WITH reference to my telegram of the 17th instant, I shall now, in conformity with your Lordship's telegraphic instructions of the 16th, proceed to report in detail the result of my inquiries as to the duties of the Commercial Department of the Foreign Office, and the relation of the Minister for Foreign Affairs with the Minister of Commerce, with respect to the treatment of commercial questions with foreign countries. I may, however, observe, that while the business of the English Foreign Office may be said to be divided according to geographical considerations, the principle upon which the Prussian department is organized is derived from the character of the objects to be dealt with. The office is divided into two departments, the one being charged with the transaction of politcal questions, and the other, styled the Commercial Department, having under its direction all questions which are not of a purely political nature, of which those relating to trade are the most important; and it is again sub-divided into sections for commerce, for railways, for the consular service, for judicial questions, and for accounts. Both departments are under the supreme direction of the Minister of Foreign Affairs, but a great deal of the business appears to be carried on without the formality of submitting the correspondence to his Excellency, and I understand that of 300 letters or despatches which daily arrive at the Foreign Office, it is seldom considered necessary to take his orders upon more than from twenty to thirty of the most important ones.

Such being the constitution of the Foreign Office, the relations of the Minister for foreign affairs with the Minister of Commerce do not appear to differ essentially from those of Her Majesty's Principal Secretary of State for Foreign Affairs with the President of the Board of Trade. There are, however, functionaries in the Prussian Foreign Office who, from their previous education, and their attention during many years to commercial questions, are as competent as the functionaries of the department of commerce itself to form correct opinions upon questions relating to trade.

The initiative in bringing before the consideration of the Government proposals or memorials emanating from local Boards and Provincial Chambers of Commerce rests with the Minister of Commerce, who is alone in relation with the representatives of the commercial and industrial interests of the country, and it is only through him that any information respecting them reaches the Minister for Foreign Affairs.

On the other hand, the latter alone communicates with the diplomatic and consular agents of the Government abroad, and it is only through his department that any information from foreign countries is received by the Ministry of Commerce.

The two departments are in constant communication with each other, and work together harmoniously each within its own sphere; and in cases of consular appointments, the name of the person selected for a vacancy by the Minister for Foreign Affairs is communicated to the Minister of Commerce, in order that he may point out, after communicating with the Chambers of Commerce, or with persons interested in the trade of the country where the vacancy exists, whether there is any objection to the nomination being confirmed. If, however, such objections are made, it remains for the Minister for Foreign Affairs to decide how far they should be attended to.

Again, in cases of negotiations for commercial treaties, or the revision of tariffs, a commissioner is appointed from the commercial department of the Foreign Office and another by the Ministry of Commerce to negotiate with the agents of the foreign country interested; and in some cases, and more particularly in questions affecting the Zollverein, a Commissioner from the Finance Department also takes part in such negotiations. These gentlemen receive their instructions from their respective departments, and the representative of the Foreign Office, in cases of difficulty, refers to the chief of the commercial department, who, if unable to solve the difficulty himself, takes the orders of the Minister with respect to it. The general rule, therefore, it may be said is, that the Minister for Foreign Affairs is the only member of the Prussian Government who corresponds with the diplomatic and consular agents of the Government in questions relating to trade, and the Minister of Commerce alone communicates on such subjects with local Boards or Chambers of Commerce. All questions at home, therefore, must, before coming before the consideration of the Minister for Foreign Affairs, have undergone a preliminary examination in the Ministry of Commerce, and any information required from abroad by the Ministry of Commerce must be obtained through the Minister for Foreign Affairs, by whom alone also representations can be addressed to foreign Governments with reference to questions of trade.

I have, &c.
(signed) *Andrew Buchanan.*

No. 4.

Lord *Bloomfield* to Earl *Russell.*

(Received April 18.)

(Telegraphic.)

Vienna, 18 April 1864.

In reply to your telegram of yesterday, the Austrian Foreign Office does not deal with foreign countries on commercial matters, except in communication and concert with the Ministry of Commerce. The duties of the commercial branch of the Foreign Office are to correspond with the Imperial consuls abroad after conferring with the Ministry of Commerce. It does not supersede reference to latter. The two Ministries always act in concert on commercial affairs; when there is a difference of opinion between them, it is settled by reference to Council of Ministers. The Ministry of Commerce, as a rule, does not correspond directly with ministers at foreign courts. It may, however, address them in cases of urgency, but always gives notice thereof to Foreign Office.

No. 5.

Lord *Bloomfield* to Earl *Russell.*

(Received April 25.)

My Lord, Vienna, 17 April 1864.

In obedience to the instructions conveyed to me in your Lordship's telegram of the 16th instant, I have the honour to forward herewith, in original, with a translation by Mr. Barrington, the explicit answers returned by the Imperial Ministry of Foreign Affairs to the questions submitted in your Lordship's telegram, with reference to the official relations subsisting between that department and the Ministry of Commerce.

These replies are but an amplification of those forwarded in my telegram to your Lordship of the 17th instant. They show that the Imperial Foreign Office act in commercial questions only after communication and concert with the Ministry of Commerce; and that the latter holds no direct communication with the Imperial embassies and legations abroad, and only communicates directly with the Imperial consulates abroad in cases of urgency.

I have, &c.

(signed) *Bloomfield.*

Enclosure in No. 5.

Memorandum.

(Translation.)

Question. General report on the relations between the Imperial Ministry for Foreign Affairs and the Ministry of Commerce.

Answer. The Ministries of Foreign Affairs and of Commerce are placed on an equal footing with regard to their mutual relations. Their communications are, as a rule, conducted in writing. In the event of difference of opinion between them on matters of common interest, the point is decided by a majority at the Council of Ministers, or by his Majesty the Emperor.

Q. Does the Foreign Department in dealing with foreign countries in commercial questions act independently of or in communication with the Ministry of Commerce?

A. The Ministry for Foreign Affairs enters into no foreign negotiation with regard to commercial matters, without first coming to an understanding with the Ministry of Commerce as to the aim and object of the negotiation. It remains in continual correspondence with the Ministry pending the negotiation.

Q. What are the precise duties of the commercial branch in the Foreign Department?

A. Formation and organization of, and nomination to, Austrian consulates abroad, recognition and sanction of foreign consulates in Austria; direction of the correspondence with the Imperial legations at foreign courts, with the Imperial consulates abroad, and with foreign missions at the Imperial Court, on all commercial matters; negotiation and conclusion of commercial, navigation, and customs treaties, as also of railway, telegraph, postal, and highway conventions.

Q. Does it supersede reference to the Ministry of Commerce?

A. On all important matters, such as the abovementioned, it only acts in concert with the Ministry of Commerce; it cannot set aside or supersede it.

Q. Does the Ministry of Commerce correspond directly with and give directions to Ministers at foreign courts in regard to commercial matters and negotiations irrespective of the Foreign Department?

A. The Ministry of Commerce carries on no direct correspondence with the Imperial missions at foreign courts; it can, however, in cases of urgency communicate directly with the Imperial consulates.

No. 6.

Lord *Bloomfield* to Earl *Russell.*

(Received May 2.)

My Lord, Vienna, 28 April 1864.

With reference to my Despatch of the 17th instant, forwarding the answers which I had obtained from the Austrian Ministry of Foreign Affairs respecting the relations subsisting between that Department and the Ministry of Commerce, I have the honour to supply some further information in regard to the last paragraph in your Lordship's Despatch circular, of the 19th instant, in which you inquire as to the course pursued by the Imperial Government when negotiating on questions of trade with other countries, and as to the arrangements that may exist for dealing with commercial questions in the Ministry of Foreign Affairs or of Commerce.

All commercial communications from Austrian agents abroad are addressed to the Imperial Foreign Office, and thence forwarded to the Ministry of Commerce. All questions connected with commercial negotiations are discussed between the two Departments.

Drafts of new treaties are drawn up in the Foreign Office, and then submitted to the Ministry of Commerce; they are revised and settled together, the Foreign Office undertaking the final instructions.

App. No. 5.

Affairs connected with the tariffs come under the cognizance of the Ministry of Finance, and are discussed between the two Departments.

All consular appointments are submitted by the Austrian Foreign Office to the Ministry of Commerce, and none take place without its approval.

There is a division in the Austrian Foreign Office for carrying on the correspondence with the eastern consulates, in addition to that charged with the general consular and commercial business of the Departments.

I have, &c.
(signed) *Bloomfield.*

No. 7.

Sir *H. Howard* to Earl *Russell.*

(Received April 25.)

My Lord, Hanover, 22 April 1864.

With reference to your Lordship's circular Despatch of the 19th instant, I beg to state that I have this day addressed an application, founded upon it, to the Hanoverian Minister of Foreign Affairs, for the information desired by your Lordship respecting the relative action of the Ministry of Foreign Affairs and of the Ministry of Commerce in Hanover, and the other points referred to by your Lordship.

I have at the same time explained to Count Platen the reason which makes your Lordship desirous of receiving the information in question with as little delay as possible.

I beg to observe that it is only from the Minister of Foreign Affairs that I can obtain the particulars asked for by your Lordship, as the subordinate Government officers would not be authorised in furnishing me with them.

I have, &c.
(signed) *Henry F. Howard.*

No. 8.

Sir *H. Howard* to Earl *Russell.*

(Received May 23.)

My Lord, Hanover, 20 May 1864.

With reference to my Despatch of the 22d ultimo, I have the honour to transmit herewith a copy and a translation of a note of the 16th instant, which I received on the 19th from Count Platen, as well as of the memorandum enclosed in it, containing the information which your Lordship, by your circular Despatch of the 19th ultimo, directed me to procure respecting the relative action of the Ministry of Foreign Affairs and of the Ministry of Commerce in Hanover.

I have, &c.
(signed) *Henry F. Howard.*

Enclosure 1 in No. 8.

Count *Platen* to Sir *H. Howard.*

(Translation.)

Hanover, 16 May 1864.

In the note which you did me the honour to address to me on the 22d ultimo, you acquainted me with the desire of his Excellency Earl Russell to obtain information as to the relative action of the Royal Hanoverian Ministries of Foreign Affairs and of Commerce, and the relations existing between them.

Having, in compliance with this wish, in concert with the latter Ministry, caused a memorandum to be drawn up explanatory of those relations, I hasten to transmit to you herewith, for communication to Her Britannic Majesty's Government.

I have, &c.
(signed) *Platen-Hallermund.*

Enclosure 2 in No. 8.

Memorandum.

(Translation.)

It is the duty of the Minister for Foreign Affairs, as representing the Royal Government abroad, and in the German Confederation, to conduct and be the vehicle of the correspondence with foreign Governments or with their diplomatic agents accredited to this Court, as also with the German Confederation. On the other hand, the diplomatic agents accredited abroad by the Royal Government are placed under his exclusive jurisdiction; they receive their full powers and instructions from him, and address to him their despatches, inquiries, and reports.

In contradistinction to these permanently appointed diplomatic agents, commissioners sent charged with special missions abroad, on affairs relating to commerce and navigation, or with conducting negotiations relating to Customs, also receive their full powers and instructions from the Minister for Foreign Affairs; but in this case they are given, after concerting with the Minister of Commerce, who has a decisive voice in the choice of the persons, and who draws up the draft embodying the substance of the instructions which they are to receive.

Copies of the reports of these Commissioners, which are addressed to the Ministry for Foreign Affairs, are immediately communicated to the Ministry of Commerce, as are also, whenever it may seem expedient to do so, extracts from the reports of diplomatic agents, and from the notes of envoys accredited to this Court.

The drafts of replies and instructions requiring documents or reports are drawn up by the Ministry of Commerce, and sent to the Ministry of Foreign Affairs for transmission. Whenever on general political grounds a draft would seem to require any alterations or additions, such modifications are introduced into it by the Ministry for Foreign Affairs, after previous consultation, if necessary, with the Ministry for Commerce.

Correspondence relating to the current affairs of the Zollverein forms an exception to the foregoing rule. According to the mode of transacting business in the Zollverein, this correspondence does not pass through the hands of the Ministry for

for Foreign Affairs, but is carried on directly between the different Commissioners of Customs and Taxes, and between them and the Ministry of Commerce.

Differing from diplomatic agents, the consuls appointed by the Hanoverian Government, in respect of their general official duties, and of their functions as commercial agents, are placed entirely under the jurisdiction of the Minister of Commerce, and are not invested with any diplomatic character.

All consular agents are selected by the latter from among suitable persons residing at the place or port where the seat of the consulate may be, and they receive their appointment and official instructions from him. They address their reports (annual and special) to him, and send him their commercial summaries, shipping accounts, and other returns. The Ministry of Commerce communicates such of these documents to the Ministry for Foreign Affairs as he deems expedient.

As an exception, however, to the above rule, all information and communications relating to matters of succession, and to cases calling for intervention, viz., cases in which the private interests of Hanoverian subjects require negotiation with the higher authorities or with the government of the country where the consulate is seated, must be addressed to the Ministry for Foreign Affairs, and he, after communicating with the Ministry of the Interior, issues the requisite orders and instructions to the consuls himself.

There is no special department for commercial affairs in the Ministry for Foreign Affairs.

No. 9.

Sir *A. Malet* to Earl *Russell.*

(Received April 25.)

My Lord, Frankfort, 21 April 1864.

WITH reference to your Lordship's Despatch of the 19th instant, marked Circular, requiring information regarding the conduct of commercial negotiations by the Government to which I am accredited, I have the honour to state that Electoral and Grand Ducal Hesse and Nassau, being members of the German Customs Union, leave commercial negotiations in the hands of Prussia.

The diet takes no cognizance of any matters relating to the affairs of commerce.

I have, &c.
(signed) *A. Malet.*

No. 10.

Mr. *W. Ward* to Earl *Russell.*

(Received April 18.)

(Telegraphic).

The Hague, 18 April 1864.

THE Minister of Finance transacts affairs relating commerce. The Foreign Office, after consultation with the Finance Department, instructs its agents in foreign countries. The Finance Minister does not correspond with them directly.

No. 11. App. No. 5.

Mr. *W. Ward* to Earl *Russell.*

(Received April 20.)

My Lord, The Hague, 18 April 1864.

I HAD the honour to forward to your Lordship this morning the following telegraphic Despatch in answer to the instructions conveyed to me by telegraph on the 16th instant:—

"The Minister of Finance transmits affairs relating to commerce. The Foreign Office, after consultation with the Finance Department, instructs its agents in foreign countries. The Finance Minister does not correspond with them directly."

There is no Ministry of Commerce in the Netherlands. All commercial business, accordingly, is transacted by a division of the Finance Department; nor is there any special commercial branch in the Foreign Office.

Except in matters of detail, on which the decision of the Finance Department is already known by precedent, the Foreign Office does not instruct the agents of the Netherlands in foreign countries without communication with the Minister of Finance. On the other hand, all instructions, after such communication, emanate from the Foreign Office, and no correspondence is carried on between the Finance Department and Ministers at Foreign Courts, nor are any directions given to them from that Department in regard to commercial matters or negotiations.

I have, &c.
(signed) *William R. Ward.*

No. 12.

Mr. *W. Ward* to Earl *Russell.*

(Received April 25.)

My Lord, The Hague, 23 April 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 19th instant, instructing me to report, with as little delay as possible, on the relative action of the Ministry of Foreign Affairs and the Ministry of Commerce in the Netherlands.

In addition to the information contained in my Despatch of the 18th instant, I have only a few observations to make respecting the practice of the Netherland Government when negotiating a question of trade with other countries.

Up to a recent date, on such occasions the gentleman at the head of the division of the Finance Department which is charged with the affairs of trade and navigation, being a person of great experience on those matters, himself prepared and drafted all commercial treaties. Since his death, his successor proposed to follow the same precedent; but this gentleman, M. Nyttenhooven, has been recently transferred to the office of Secretary General of the Department of Foreign Affairs. In this new character he still continues to perform the same duties with regard to commercial negotiations with foreign countries as while he occupied his former post, and, accordingly, the commercial treaty lately concluded between the Netherlands and

App. No. 5.

the kingdom of Italy was prepared by him, though negotiated by the Netherlands' Minister at Turin.

There is, then, no department specially charged with business of this nature; but when any proposal is made to the Netherlands Government to enter into any arrangement or treaty on commercial matters, it is the practice to consult the different Chambers of Commerce in the country, and to invite their opinion, in the first place, as to the necessity of the step proposed, and next, their suggestions as to the stipulations which should be made.

The constitution of these Chambers of Commerce was provided for by a Royal Ordinance in the year 1851. They are established in those communes where, according to the judgment of the communal authorities, the appointment of such a corporation is expedient, subject, however, to the Royal approbation. Their members are elected by such inhabitants of the commune as are rated to the tax called "Patentregt," on account of any industrial or commercial business, at a sum to be fixed in each case in conformity with the advice of the communal and provincial authorities.

The correspondence between the chambers of commerce and the several departments of the State is direct, when consulted by those departments; but when, on the other hand, they have occasion to address any representation to the departments of State, the correspondence passes through the representative of the Royal authority in the province.

The Foreign Department of the Netherlands does not require commercial reports from their secretaries of legation, whose attention is not supposed to be particularly directed to such questions. Information of this description is furnished by the consular officers, whose residence in centres of trade gives them peculiar opportunities for acquaintance with details, the knowledge of which may be serviceable to their Government and the commercial body of the country.

I have, &c.
(signed) *William R. Ward.*

No. 13.

Mr. *J. Ward* to Earl *Russell.*

(Received May 2.)

My Lord, Hamburgh, 29 April 1864.

In conformity with the instructions conveyed to me by your Lordships' circular Despatch of the 19th instant, notifying the appointment of a Parliamentary Committee to inquire into the relations between the Foreign Office and the Board of Trade, and desiring information as to the action of the Ministry for Foreign Affairs and that of Commerce respectively in the country where I reside, I have the honour to state to your Lordship as follows: —

In small states, like the Hans Towns, the organization of the Departments of Foreign Affairs and of Commerce is of course less elaborate than in Prussia and other large monarchies; but care is taken that no measure affecting trade shall be adopted by the Government without first consulting the body especially charged with watching over the commercial interests of the community. In Hamburgh, when the Senate desires to negociate a treaty of commerce or navigation, or when such a treaty is proposed to it by a foreign State, the course is, first, to refer the whole question to the "Commerz Deputation," a body which is analogous to the Board of Trade in England, and is composed partly of Senators and partly of members of the burghership and leading merchants. If the report of the Commerz Deputation is favourable to the proposed measure, the senior Syndic (who is equivalent to a Minister for Foreign Affairs) takes charge of the negociations in the name of the Senate, prepares the draft of a treaty, or makes his observations upon the draft submitted to him, and issues the requisite instructions to the diplomatic agents of Hamburgh at foreign Courts. The treaty, when ready for conclusion, is signed by the Syndic, or by the diplomatic agent abroad, on behalf of the Senate. The Commerz Deputation has nothing to do with the negociations, or with the signature of the treaty. Its functions are consultative only. It has, indeed, occasionally happened that a member of, or the Secretary to, the Commerz Deputation has been appointed to represent the senate in commercial transactions, as in the instance of the Elbe Navigation Commission, which sat at Hamburgh in the years 1862 and 1863, when the Hamburgh Commissioner was Dr. Soetbeer, the able and experienced Secretary of the Commerz Deputation; but he acted in that matter under the direction of the Syndic, Dr. Merck, and received his instructions through the last-mentioned functionary, and not immediately from the Department of Trade.

In the other Hans Towns the practice in regard to the negotiation of Commercial Treaties is the same as that of Hamburgh. At Lübeck there is a Deputation of the Senate for matters of trade, but all negotiations with foreign States are conducted by the Senator charged with Foreign Affairs (at present Dr. Curtius). At Bremen there is likewise a Deputation for matters of trade with consultative functions, whilst the negotiations with foreign Powers on commercial as well as other questions are conducted by one of the Burgomasters (M. Duckwitz), assisted by two other Senators, who form the Committee of the Senate for Foreign Affairs.

I have, &c.
(signed) *John Ward.*

No. 14.

Lord *Howard de Walden* to Earl *Russell.*

(Received April 17.)

(Telegraphic.)

Brussels, 17 April 1864.

There is no Ministry of Commerce in Belgium; commercial affairs are directed by the Ministers of Foreign Affairs and Finance. General policy and initiative, as regards commerce, come under Minister of Foreign Affairs; mere fiscal, administrative and executive details at home under Minister of Finance. The Minister of Finance has no independent intercourse with either foreign Governments or Diplomatic Agents.

No. 15.

Lord *Howard de Walden* to Earl *Russell.*

(Received April 20.)

My Lord, Brussels, 18 April 1864.

In reply to your Lordship's telegram of the 16th instant, I have to explain that there is no special Minister of Commerce in Belgium. The general political

political direction of all matters connected with commerce and navigation constitutes an important branch of the attributions of the Minister of Foreign Affairs. Under this head are comprehended,—

Section I. Internal Commerce:

1. Commercial legislation, and tariffs of import, export, and transit duties. 2. Maritime establishments, navigation dues, government of harbours in all matters affecting commerce. 3. Navigation, fisheries, chambers of commerce, and tribunals of commerce. 4. Commercial halls of exchange, stock-brokers and other brokers. 5. Commercial, provident, and insurance societies. 6. Regulations affecting internal trade.

Section II. Foreign Commerce and Consulates:

1. Consulates; their organization and regulation; Belgian consular establishment; its relations with foreign consular agents. 2. Negociations of treaties and other public acts concerning commerce and navigation; commercial questions as bearing on political treaties. 3. Relations with foreign governments in commercial matters. 4. International means of communication, post-office and telegrams, as affecting commerce. 5. Belgian establishments abroad, and measures to be taken in order to develop maritime movement and export trade.

The direction of the Custom-house, however, and decision on questions bearing on administrative fiscal proceedings, appertain to the Minister of Finance, and constitute a branch of the duties of a division in the Finance Department designated as "Direction des Douanes et Accises."

Although such as above detailed constitutes the practice and relative participation of the two Departments in the direction of commercial matters, yet there are matters, such as alterations in the Tariff, in which the consent of the Minister of the Interior is required (for instance, as regards modification of protecting duties affecting local industrial interests), in which the authority of no single Minister is supreme. There is, however, no distinct law under which any separate classification of attributes as ascribed to the several Departments is defined.

The correspondence between the different Departments is conducted by letter, exactly on the same principle as between the Foreign Office and the Board of Trade, varying only in the form of being usually direct between the Ministers, instead of through the Secretaries of the respective Departments.

I have, &c.
(signed) *Howard de Walden* and *Seaford.*

No. 16.

Lord *Howard de Walden* to Earl *Russell.*
(Received April .)

My Lord, Brussels, 24 April 1864.

I HAVE the honour to acknowledge the receipt of your Despatch, Circular, of the 19th instant.

My Despatch of the 18th instant in reply to your Lordship's telegram of the 16th will, by anticipation, have afforded the essential information desired by your Lordship.

Baron Lambermont, the Secrétaire Général of the Foreign Office, has obligingly prepared for me a memorandum on the same subject, a copy of which, as an authoritative document, I herewith enclose. App. No. 5.

I have, &c.
(signed) *Howard de Walden* and *Seaford.*

Enclosure in No. 16.

MEMORANDUM.

Q. EXISTE-T-IL quelque Loi, Arrêté Royal, ou ouvrage sur la Constitution Belge qui définisse pleinement les attributions et les devoirs de chaque Ministère?

R. Les attributions générales des Ministères ont été originairement définies par l'Article 54 de la Constitution de l'an VIII. aux termes duquel les Ministres procurent l'exécution des lois et des réglements d'administration publique.

Les Ministres exercent leur pouvoir sur les matières que les lois confient à leur sollicitude. (Lois du 25 Mai, 1791, et du 10 Vendémiaire, an IV.)

D'après la Constitution Belge du 7 Février, 1831, dont le texte est ci-joint, le pouvoir exécutif appartient au Roi (Article 29). Aucun acte du Roi ne peut avoir d'effet s'il n'est contresigné par un Ministre, qui par cela seul s'en rend responsable (Article 64). Le Roi nomme et revoque ses Ministres (Article 65). Le Chapitre II, s'occupe exclusivement du Roi et de ses Ministres.

Q. Comment sont définies les attributions du Département des Finances en matières commerciales en tant que distinctes de celles du Ministre des Affaires Etrangères?

Jusqu'où va l'autorité du Ministre des Finances en matière de Tarifs?

R. Le Ministère de l'Intérieur a dans ses attributions l'agriculture et l'industrie. Le Ministère des Affaires Etrangères, le commerce, la marine, les relations internationales, le Ministère des Finances, l'établissement et la perception des impôts.

Il résulte de là que trois Départements concourent, chacun à son point de vue différent, à l'élaboration des Tarifs Douaniers. C'est le Ministère des Finances qui formule le travail définitif et le présente aux Chambres Législatifs.

Lorsqu'il s'agit de modifier les Tarifs par voies de Traités le Ministère des Affaires Etrangères consulte les deux autres Départements, et s'entoure de tous les renseignements qui peuvent lui procurer les Chambres de Commerce, les fabricants, les armateurs, ainsi que les Agents, Diplomatiques et Consulaires; il dirige les négociations, et soumet les Traités aux débats Parlementaires.

Q. Quel Ministre soumet aux Chambres de Commerce des propositions pour modifier les Tarifs?

R. Les Chambres de Commerce sont dans les attributions du Département des Affaires Etrangères. Toutefois le Ministre des Finances, s'il le juge nécessaire, communique directement à ses collégues les projets de loi destinés à modifier le Tarif des Douanes. Il en est de même du Département de l'Intérieur pour les questions qui intéressent l'agriculture ou l'industrie. Comme on l'a dit plus haut, le Ministère des Affaires Etrangères puise des lumières à la même source lorsqu'il s'agit de négociations internationales;

App. No. 5.

mais dans tous les cas, et en principe, la résolution finale est prise de l'accord commun des trois Départements.

Il ne sera pas sans intérêt d'ajouter que, depuis quelques années, il a été institué un Conseil Supérieur du Commerce et de l'Industrie, qui est composé de Delégués des Ministères des Affaires Etrangères, des Finances, et de l'Intérieur, et de toutes les Chambres de Commerce. Ce Conseil donne son avis sur les affaires qui lui sont soumises par le Gouvernement, il discute les vœux émis par les Chambres de Commerce, et il délibère sur les propositions émanant de l'initiative de ses propres membres.

Q. Les changements ou modifications aux réglements commerciaux sont-ils faits par un seul Ministre à l'exclusion des autres, ou sont-ils déférés au Conseil des Ministres pour obtenir la sanction générale, et sont-ils promulgués par l'Arrêté Royal ou autrement ?

R. La réponse précédente s'applique en grande partie à cette question.

Déjà concertés entre les Départements compétents, les projets de loi douanière ou de Traité passent, comme toutes les affaires de quelque importance, par le Conseil des Ministres, et ils sont enfin soumis à la haute approbation de Sa Majesté.

Les lois apportant des changements au Tarif des Douanes sont promulguées de la méme manière que les autres lois. Elles sont obligatoires le dixième jour après celui de la publication.

Les Traités sont accompagnés lors de leur publication officielle d'une loi spéciale qui les sanctionné.

Il arrive rarement que des changements soient apportés au Tarif par Arrêté Royal. Cela ne peut avoir lieu qu'en vertu d'une autorisation donnée au Gouvernement par une loi expressé. Les Arrêtés Royaux sont également obligatoires le dixième jour après celui de leur publication, à moins qu'ils ne fixent un autre délai.

No. 17.

Lord *Napier* to Earl *Russell.*

(Received April 17.)

(Telegraphic.)

St. Petersburgh,
17 April 1864.

There is no Ministry or Commerce in Russia. The Department of Commerce is a distinct branch of the Department of Finance, and is administered by a Director, who is however quite subordinate to the Minister of Finance. There is no commercial branch in the Foreign Office; never acts in commercial matters without consulting the Minister of Finance. The latter sometimes corresponds directly by permission of the Foreign Office, for convenience, with Diplomatic Agents abroad, but only on matters of detail.

No. 18.

Lord *Napier* to Earl *Russell.*

St. Petersburgh,
My Lord, 18 April 1864.

In conformity with your Lordship's telegraphic instructions, I had the honour to transmit to your Lordship yesterday a brief report by telegraph concerning the relations which exist in Russia between the Department of Foreign Affairs and that of Commerce. I have scarcely matter for an expanded statement.

There is no Ministry of Commerce in this empire. The interests of foreign trade are treated in a Department of the Ministry of Finance, which is placed under a "Director," a functionary of importance, but who has not by any means the quality of a Minister, and who is altogether subordinated to the Minister of Finance, who is the real Minister of Commerce.

There is no commercial branch in the Foreign Department, nor does the Foreign Department take any resolutions in commercial affairs without referring to the Ministry of Finance. When questions of commerce are raised by Foreign Powers, they are first entertained by the Minister of Foreign Affairs, who refers them to the Minister of Finance, who advises with the Director of Commerce. If the question affects existing international engagements, the advice of a "counsellor" is taken, who is attached to the Foreign Office, and is charged with the Treaty Department. This functionary is a kind of "law officer," to whom matters affecting the construction of treaties are referred; his decision is, however, not authoritative, and his opinion is occasionally discussed and reversed in a "Council of the Foreign Department," in which the Minister of Foreign Affairs presides, and to which functionaries of special aptitude and learning in the department are called.

The opinion of the "counsellor," or of the Minister of Foreign Affairs, in matters affecting commerce, is imparted to the Minister of Finance, who exchanges his views with the Foreign Department.

Matters of high importance affecting the commercial relations of the empire with foreign countries are also discussed in the Cabinet, and are submitted by the Minister of Foreign Affairs and the Minister of Finance to the Sovereign.

As a general rule, the Minister of Finance does not correspond directly with diplomatic agents abroad; but occasionally, for the convenience of business, the Minister of Finance is empowered to do so by the Minister of Foreign Affairs, and a direct correspondence is established, of which the substance is imparted to the Foreign Department. This only occurs in matters of detail.

I have, &c.
(signed) *Napier.*

No. 19.

Mr. *Elliot* to Earl *Russell.*

(Received April 18.)

(Telegraphic.)

Turin, 18 April 1864.

The Italian Foreign Office, dealing with foreign countries on commercial questions, acts independently of the Ministry of Commerce. There is a commercial branch of the Foreign Office, the duty of which is to negotiate treaties of commerce, to watch their execution, and to examine the questions arising out of them. The communications of the Ministry of Commerce with Italian Ministers at Foreign Courts are made through the Foreign Office.

No. 20.

Mr. *Elliot* to Earl *Russell.*

(Received April 21.)

My Lord, Turin, 18 April 1864.

With reference to my telegram of this morning, I have the honour to enclose the copy of a memorandum I have procured from the Director General of the Italian Foreign Office, giving further details of the relations of that department and the Ministry of Commerce.

I have, &c.

(signed) *Henry Elliot.*

Enclosure in No. 20.

Memorandum.

Le Ministère des Affaires Etrangères s'occupe directement et indépendamment des autres départements des questions commerciales avec les états étrangers; toutefois lorsque ces questions peuvent de quelque façon intéresser les autres Ministères, et notamment ceux du Commerce, des Finances, et de la Marine, il tâche avant tout de se mettre d'acord avec eux.

Il existe au Ministère des Affaires Etrangères, et précisément dans la division des Consulats, un Bureau Commercial, dont les attributions sont de négocier les traités de commerce avec les pays étrangers, et ensuite d'en préparer et d'en contrôler l'exécution, notamment en éclaircissant les doutes qui pourraient surgir dans l'interprétation des stipulations intervenues.

Ce Bureau se trouve naturellement placé comme intermédiaire entre les Agents Diplomatiques ou Consulaires du Roi à l'étranger, et les Départements qui ont aussi des intérêts nationaux à étudier ou à protéger hors des limites du Royaume. Par conséquent le Ministère du Commerce, de même que tous les autres, fait parvenir ses communications aux Légations du Roi près les Cours étrangères au moyen du Ministère des Affaires Etrangères, où le Bureau susdit du Commerce est aussi chargé de ces transmissions.

No. 21.

Mr. *Elliot* to Earl *Russell.*

(Received 17 May.)

My Lord, Turin, 13 May 1864.

With reference to your Lordship's despatch of the 19th ultimo, I have the honour to enclose a copy and translation of a memorandum I have obtained from the Italian Foreign Office, explaining the relations existing between that department and the Ministries of Commerce and Finance.

(signed) *Henry Elliot.*

Enclosure in No. 21.

Memorandum.

Prima del 1848 ogni competenza in oggetto di traffico all' estero, e di Trattati di Commercio e Navigazione con esteri Stati, era raccolta nel Ministero per gli Affari Esteri, che interrogava per semplice informazione od autorevole avviso gli altri Ministerio o Segreterie di Stato, e segnatamente quella delle Finanze, da cui dipendevano le diverse autorità non solo doganali, ma anche commerciale.

Dopo il 1848 fu fondato, quindi soppresso, e poscia nuovamente attivato, uno Speciale Ministero di Agricoltura, Industria, e Commercio, che anche presentemente esiste nel Regno. Si riconobbe quindi che il nuovo Ministero aveva à raccogliere e ad esaminare ogni documento di commerciale importanza che si compilasse nell' interno o giungesse dall' estero. Si riconobbe altresi che quel Ministero aveva ragione di iniziativa nel Reale Governo per indicare ciò che nella sfera commerciale, e fatta pure estrazione da politiche considerazioni, gli sembrasse opportuno all' effetto di promuovere nell' interno e nell' estero lo sviluppo del traffico nazionale, tanto più che avendo sotto la sua diretta dipendenza le Camere di Commercio ed Arti numerose in tutto il Reame, può meglio d'ogni altro Ministero apprezzare convenienze e bisogni.

Ma siccome le considerazione politiche prevalgono necessariamente ad ogni altra, nei rapporti coll' estero, ed il solo Ministero degli Affari Esteri può essere giudice delle opportunità e dei momenti propizi ad accordi con Governi stranieri, e d' altronde il solo Ministero dell' Estero è conservatore nato dei metodi e delle costumanze diplomatiche, così quella iniziativa del Ministero di Commercio non si considerò estesa di guisa che essa potesse insinuare o conchiudere trattativa alcuna. Che anzi si mantenne rigorosamente il principio che le correspondenze coi Ministeri e coi Consolati nell' estero seguissero esclusivamente per mezzo del Ministero degli Esteri, e che ogni negoziazione si conducesse in ogni caso dallo stesso Ministero dell' Estero, in cui le Convenzioni ed e Trattati vengono ridotti nelle forme consuete a documenti di Stato. In tutto ciò il Ministero del Commercio non ha altra azione se non quella di un consulente continuo o rispettato, il cui Capo per l' essere membro del Consiglio dei Ministri non ha una posizione di dipendenza, che gli vieti di far conoscere e fors' anco prevalere in consiglio, quando questo caso si presentasse, la sua opinione personale a fronte di quella dello stesso Ministro degli Esteri. Non si sono del resto per l' identità degli scopi, e per l' essere attualmente del tutto vittoriose presso il Governo Italiano le massime di libertà commerciale, presentasi casi di attrito o di gravi difficoltà.

Reassumendo, adunque, i Trattati e le Convenzione Commerciali si iniziano per la massima parte al Ministero d' Agricoltura e Commercio, il quale raccoglie ogni elemento necessario, studia le possibili concessioni a farsi, i vantaggi a chiedersi, e le clausole a stipularsi, redige i progetti e li trasmette al Dicastero dell' Estero. Quivi vengono i progetti stessi ripresi in esame poste in confronto coi Trattati gia esistenti e con ogni politica esigenza, finchè approvati in Consiglio dei Ministri sono dallo stesso Ministero dell' Estero trasmessi ai Plenipotenziari incaricati di curare le negoziazioni, colle istruzioni occorrenti pel regolare andamento delle medesime.

Al quale scopo appunto trovasi istituito presso il Ministero dell' Estero un apposito Ufficio Commerciale, il cui incarico si è di sovvegliare e dirigere le negoziazioni riflettente la stipulazione dei Trattati coi paesi stranieri, di curarne l'esatta interpretazione, di sciogliere i dubbi e le difficchià che in ordine alla medesima vennero sollevate e di promuoverne in ogni migliore modo la precisa osservanza. Allo stesso ufficio è pure affidata la

App. No. 5.

cura di raccogliere notizie e documenti statistici sulla nostra navegazione e sul nostro commercio all' estero, e di procurarsi ragguagli sulle stipulazioni commerciali che vengono conchiuse da altri Stati, e che potrebbero anche riuscire a noi vantaggiose. Di queste notizie ed informazioni, alcune vengono direttamente rese di pubblica ragione, o nel Bollettino Consolare od in altre opere, e le rimanenti si comunicano al Ministero di Agricoltura e Commercio, che le dirama, nell' interesse dei nostri commercianti od industriale, alle Camere di Commercio e d' Arti del Regno, o le conserva per ogni possibile emergenza di futuri negoziati.

(Translation.)

Prior to 1848, all questions upon traffic abroad and upon Treaties of Commerce and Navigation with foreign States were referred to the Minister of Foreign Affairs, who, upon mere inquiries for information or for authorised instructions, applied to the other Ministers or Secretaries of State, but chiefly to the Ministry of Finance, in whom was vested all authority upon matters both commercial and of the Customs.

After 1848, a special Ministry for Agriculture, Industry, and Commerce was founded, then suppressed, and again reinstated, and now extant. The new Ministry was next required to collect and examine all important commercial documents emanating from the interior, or received from abroad. It was also admitted that this Ministry was entitled to the initiative for indicating whatever might appear opportune in the commercial sphere for promoting both at home and abroad the development of the national traffic, all political considerations abstracted; more especially so as with the immediate control of the Chambers of Commerce and Arts throughout the kingdom, it would be more able than any other Ministry to appreciate their convenience and necessities.

But as political considerations prevail more than any other in relations with foreign countries, and as the Ministry for Foreign Affairs is best able to judge of the opportune moment for treating with Foreign Governments; and, moreover, as the Ministry for Foreign Affairs is charged with the preservation of the methods and diplomatic usages, the Ministry for Commerce was not held to be authorised to "insinuate" (broach) or conclude any treaty whatever. On the contrary, the principle that the correspondence with Ministers and Consuls abroad should be carried on exclusively by the Ministry for Foreign Affairs was rigorously maintained, and every negotiation, under any circumstances, conducted by the same Ministry for the Exterior, in which conventions and treaties are drawn up in the usual form of State papers. In all this the Ministry for Commerce has no other share than that of a counsellor, whose chief, from being a member of the Council of Ministers, holds an independent position, which enables him to give and even press his opinion in Council, when opposed to that of the Minister for Foreign Affairs. But from the identity of views and from the freedom of trade now prevalent in Italy, hitherto no instance of serious difficulty or contention has occurred.

Assuming, therefore, that commercial treaties and conventions are chiefly initiated by the Ministry for agriculture and commerce, which collects every necessary element, makes a study of possible concessions, of the advantages to claim, and of the conditions which are to be stipulated for, and draws up the projects which it transmits to the Foreign Department, it is there that these projects are re-examined and confronted with existing treaties and every political requirement, and when finally approved in the Council of Ministers, are by the said Ministry for Foreign Affairs transmitted to the plenipotentiaries charged with their negotiation and the needful instructions for carrying them out.

To this end at the Foreign Ministry there is an appropriate commercial department which is entrusted with the supervision and direction of negotiations having reference to stipulations of Treaties with foreign countries, with their careful interpretation, the solution of doubts and difficulties which may arise, and with the furtherance of the best means of ensuring their fulfilment. At the same office the charge of collecting notices and statistical documents is entrusted, both as regards our navigation and our commerce abroad, as also of procuring information upon commercial stipulations concluded between other States, and which might lead to our advantage. Of such notices and information some reach us by the public press or by the "Bollettino Consolare;" the remainder is communicated to the Ministry of Agriculture and Commerce by our Chambers of Commerce and Arts, and it is preserved for any possible emergency in future negotiations.

No. 22.

Sir *A. Magenis* to Earl *Russell.*

(Received April 18.)

(Telegraphic.)

Lisbon, 18 April 1864, 4.30 P.M.

FOREIGN Office here always acts in communication with Ministry of Commerce on commercial matters. There is no commercial branch in Foreign Office Department of Commerce, as rule, does not correspond with Portuguese diplomatic agents abroad, but does with consular.

No. 23.

Sir *A. Magenis* to Earl *Russell.*

(Received April 26.)

My Lord, Lisbon, 20 April 1864.

I MADE to your Lordship a short report by telegraph on the 18th instant on the relations existing between the Foreign Office and the Ministry of Commerce in this country, in obedience to the instructions contained in your Lordship's telegram of the 16th, which instructions were repeated verbatim in a second telegram of the 19th.

I shall now, in obedience to those instructions, report more fully on the same subject.

I learn from M. de Monteverde, the Under Secretary of the Foreign Office here, that that Department, in treating with foreign countries on commercial questions, always acts in communication with the Ministry of Commerce, to which all matters of a commercial nature are previously submitted for advice; and he further informs me that there exists no commercial branch in the Foreign Office.

The Ministry of Commerce does not, as a rule, correspond directly with, or give instructions to, Portuguese

Portuguese diplomatic agents abroad. In cases admitting of no delay it may at times, and exceptionally, take upon itself to do so. Under ordinary circumstances, however, instructions respecting commercial questions are sent to those agents by the Foreign Office, in conformity with the recommendations of the Ministry of Commerce.

Portuguese Consuls at foreign ports correspond directly with the Department of Commerce on commercial affairs.

I have, &c.
(signed) *Arthur C. Magenis.*

No. 24.

Sir *J. Crampton* to Earl *Russell.*
(Received April 17.)

Telegraphic.

Madrid, 17 April 1864.

THERE is no separate Minister of Commerce in Spain, the commercial business of the Government being intrusted to one of the Departments of the Ministry of Public Works. All negotiations with foreign powers or communications with them are, however, carried on by the Minister of Foreign Affairs independently of the Ministry of Public Works, except in so far as the Minister for Foreign Affairs may apply to the commercial department for information. The Foreign Department exclusively corresponds with and gives directions to Spanish Ministers abroad on commercial subjects. The precise duties of the commercial division in the Foreign Office are stated in the foreign regulation which has been furnished to me by that Department. The direction of commerce employs itself in this branch of business, as regards foreign relations and in regard to the appointments, the rights, obligations, and jurisdiction of Consuls; it examines the expenses of all the Departments of the Ministry, keeps accounts of all its contingent revenues, and forms the budget of the same. Moreover, all negotiations of treaties and conventions of Commerce and Navigation, and everything relating to fisheries, extradition, naval deserters, health, charitable succours, consulates, and couriers, are carried on in it.

No. 25.

Sir *J. Crampton* to Earl *Russell.*
(Received April 25.)

My Lord, Madrid, 21 April 1864.

THE result of the inquiries which I have made since the date of my telegram of the 17th instant respecting the attributions of the Foreign Department, and other Departments of the Spanish Government, in dealing with foreign countries in regard to commercial questions, has not furnished me with much additional information on this subject, but confirms the main fact that the Minister for Foreign Affairs, exclusively, with the assistance of a "division" of his Department especially entrusted with the preparation of the necessary information and data, negotiates all commercial questions with foreign countries, and directs Spanish Ministers abroad in regard to all such questions.

There exists, it is true, a "division" in the Department of Public Works charged with the consideration of matters regarding agriculture and commerce; but I understand its functions proceed no further than the collection of information, and that the Department in no case takes the initiative in recommending negotiations with foreign countries, and is never charged with superintending such negotiations.

It has been customary for the Minister of Finance, from time to time, to name a Commission composed of persons employed in his own Department to consider and report upon certain commercial subjects; but the decisions of such a Commission are, as I had the honour of stating on a former occasion (*vide* my telegram of 15 March 1863), advisary and confidential, and in no way obligatory or legislative.

I have, &c.
(signed) *John F. Crampton.*

No. 26.

Rear-Admiral *Harris* to Earl *Russell.*
(Received May 3.)

My Lord, Berne, 30 April 1864.

IN conformity with the instructions contained in your Lordship's Despatch, circular, dated 19 April, I addressed a Despatch to the President of the Confederation, asking for information on the subject of the relative action between the Federal Departments of Politics and Commerce in conducting the public business of this country. In order to set forth more clearly the nature of the information required, I transmitted to his Excellency a copy of your Lordship's Despatch.

I have the honour to enclose the President's answer. In addition to the information contained therein, I may add that the Federal Departments of Politics and Commerce issue annually reports containing in detail the several occurrences of the preceding year relating to commerce, such as treaties, conventions, alterations of tariffs at home and abroad, and other matters affecting Swiss commercial interests. These I have had the honour to forward to your Lordship as soon as they were printed. In the official "Feuille Fédérale" are occasionally published reports on commercial matters from the legation and consulates, such as that of M. Brennwald on the commerce of Japan, which I transmitted to your Lordship.

But the consular reports are few and far between; probably from the reason that the Swiss consuls, who are solely remunerated by fees, are generally persons whose private business absorbs their time. However, the active, industrial habits of the commercial community in Switzerland appear to keep them amply informed, through private correspondence with their fellow-citizens widely scattered over the globe, in all matters relating to trade.

I have, &c.
(signed) *E. A. J. Harris.*

Enclosure in No. 26.

The Federal Council to Rear Admiral *Harris.*

Berne, le 27 Avril 1864.

PAR sa note du 22 courant, son Excellence M. le Ministre de Sa Majesté Baitannique a exprimé au Conseil Fédéral le désir de recevoir des

App. No. 5.

renseignements sur le mode de procéder du Département Politique et du Département du Commerce et des Péages de la Confédération Suisse, en ce qui concerne les questions commerciales et les négociations qui s'y rapportent, soit à l'intérieur ou à l'étranger.

Pour satisfaire autant que possible à ce désir, le Conseil Fédéral a l'honneur de transmettre ci-joint à M. le Contre-Amiral Harris un exemplaire de la Loi Fédérale sur l'organisation et la mode de procéder du Conseil Fédéral du 28 Mai 1849, et du Réglement pour les Consuls Suisses du 1 Mai 1851.

Conformément à l'organisation du Conseil Fédéral, la direction du Département Politique est toujours dans les mains du Président de la Confédération. A teneur de l'Article 23 de la Loi ci-jointe, le Département Politique est chargé de l'examen préalable ou du soin des affaires suivantes:—

1. Les relations avec les Etats étrangers et leurs Représentants; la conclusion de Traités de toute espèce, sauf la co-opération des autres Départements lorsque ces Traités concernent des affaires de leur ressort.

2. Les relations avec les Chargés d'Affaires et les Consuls de la Suisse à l'étranger.

Il existe un Département spécial pour la Commerce et les Péags, qui est chargé de l'examen préalable et du soin des affaires suivantes:—

1. L'encouragement du commerce et de l'industrie en général, y compris les relations avec les Consuls de commerce, en tant qu'elles ont rapport au commerce.

2. Le maintien de la liberté du commerce à l'intérieur de la Suisse.

3. Les Traités de Commerce et de Péages avec l'étranger.

Les Départements adressent, conformément à l'Article 20 de cette Loi, leurs Rapports au Conseil Fédéral, attendu que toutes les décisions émanent de lui comme autorité.

Le Conseil Fédéral n'a pas la co-opération d'une autorité commerciale correspondante à l'autorité Anglaise "Board of Trade." Dans quelques Cantons, toutefois, les Départements respectifs sont en rapport avec des Chambres de Commerce Cantonales, et dans certains cas le Département Fédéral du Commerce et des Péages s'adresse aussi à ces Chambres de Commerce pour en obtenir des renseignements et des informations. Il y a de ces Chambres de Commerce à Bâle, St. Gall, Zurich, et Glaris; et il n'est pas rare qu'elles s'adressent au Conseil Fédéral dans l'intérêt du commerce et de l'industrie, et qu'elles attirent son attention sur des inconvénients et des irrégularités, soit en ce qui concerne les Tarifs Suisses ou étrangers ou dans les affaires de trafic général. Ces exposés sont ensuite renvoyés au rapport du Département du Commerce et des Péages, après quoi le Conseil Fédéral prend les dispositions qui lui paraissent convenables dans l'intérêt du commerce et de l'industrie du pays.

La Suisse n'a pas de consul salariés, mais seulement des Consulats de Commerce, qui ne reçoivent pas d'indemnité, de sorte que ce qu'on peut exiger d'eux ne doit pas être porté trop haut.

Les affaires que les consuls doivent soigner sont: diplomatiques là où la Suisse n'a pas d'autres représentants, de commerce, politiques, et notariales.

Dans toutes les affaires de cette nature, les consuls peuvent s'adresser directement au Conseil Fédéral ou aussi au Département Politique. La plupart du temps, les consuls s'adressent directement au Conseil Fédéral; en affaires commerciales toutefois souvent aussi au Département du Commerce et des Péages. Les affaires qui parviennent au Conseil Fédéral sont immédiatement renvoyées pour examen et rapport aux Départements respectifs: les affaires politiques au Département Politique, les questions d'état civil et juridiques au Département de Justice et Police, les affaires d'émigration au Département de l'Intérieur, les affaires commerciales au Département du Commerce et des Péages.

Quant aux négociations avec des autorités étrangères, le Conseil Fédéral nomme des Plénipotentiaires *ad hoc* et leur donne des instructions. Pour celles qui concernent des affaires commerciales, il demande le préavis du Département du Commerce, qui, suivant les circonstances, consulte des experts spéciaux, et se fait donner un préavis par les consuls et Chambres de Commerce des Cantons.

Les rapports et les propositions de ces Départements sont ensuite soumis au Conseil Fédéral. S'il se constate alors qu'un autre Département soit intéressé dans la question, les actes lui sont aussi renvoyés, afin que, s'il le juge convenable, il puisse aussi présenter ses propositions.

Le Conseil Fédéral désire que ces explications puissent être de quelque utilité au Département des Affaires Etrangères de Sa Majesté Britannique, et il a, &c.

Au nom du Conseil Fédéral,
Le Président de la Confédération,
(signé) *Dr. T. Dubs.*

Le Chancelier de la Confédération,
Schiess.

No. 27.

Mr. *Gordon* to Earl *Russell.*

(Received May 2.)

My Lord, Stuttgardt, 2 May 1864.

With reference to your Lordship's Despatch, Circular, of the 19th ultimo, I have the honour to report that I lost no time in making the necessary inquiries here as to the relations between the Departments of Foreign Affairs and of Commerce in the Kingdom of Wurtemberg, and I have, in consequence, now received replies which enable me to furnish your Lordship with the information required by the above Despatch, and especially by the two antepenultimate paragraphs of it.

I have the honour to sum up this information as follows:—

There is no special Department of Commerce in Wurtemberg. The matters of business, which in other countries are submitted to such a Department, are here distributed between the Departments of the Interior and of Finance, in such a manner that matters of trade, handicraft, and commerce as such are brought before the former, and means of intercourse and communication, together with what relates to Customs duties, belong to the operations of the latter. The Foreign Department has to occupy itself with these matters only in such cases wherein any correspondence upon

upon them has to be opened either with foreign Governments, or with the Legations and Consulates depending from it. In these cases the correspondence is conducted in understanding with both the above-named Departments, to which also the Foreign Department communicates regularly the replies received by it, as well as the reports on politico-commercial matters from the Legations and Consulates, taking care to distribute the same to the two Departments in question, in accordance with the division of the subject-matter under their several competence, as explained above.

In its correspondence abroad on the subjects in hand, however, the Foreign Department never addresses itself to a Foreign Minister of Commerce, but always either immediately to the Foreign Department of the country in question, or to the same by the intervention of the Wurtemberg envoys or consuls. In the same manner, of course, the communications of foreign Diplomatic Agents accredited here respecting commercial matters are always addressed to the Foreign Department in Stuttgardt, by which the same are distributed to the Home and Financial Departments, according to the above-mentioned subject division.

From what precedes, it would appear that the mode of proceeding in the cases referred to by your Lordship's circular in this country, is very similar to that adopted by Her Majesty's Government.

I have not yet received from Mr. Baillie, to whom I forwarded, on its receipt, your Lordship's instruction of the 19th instant, the Report which I expect from him on the above subject as regards the Baden Government.

I have, &c.
(signed) *G. J. R. Gordon.*

No. 28.

Mr. *Gordon* to Earl *Russell.*

(Received 9 May.)

My Lord, Stuttgardt, 4 May 1864.

With reference to my Despatch of the 2d instant, I have the honour to forward herewith Mr. Baillie's Despatch of the 2d instant, transmitting the reply which he has received from Baron Roggenbach to his inquiries as to the relations between the Departments of Foreign Affairs and Commerce at Carlsruhe.

I have, &c.
(signed) *G. J. R. Gordon.*

Enclosure 1 in No. 28.

Mr. *Baillie* to Mr. *Gordon.*

Sir, Carlsruhe, 2 May 1864.

In conformity with the instructions contained in your Despatch of the 23d ultimo, forwarding copy of Earl Russell's Despatch Circular of April 19, requesting information respecting the relative action of the Ministry of Foreign Affairs and that of Commerce in the Grand Duchy of Baden, I addressed a note to Baron Roggenbach on the subject, and I have now the honour to enclose a copy of his reply.

I have, &c.
(signed) *Evan P. M. Baillie.*

Enclosure 2 in No. 28. App. No. 5.

Baron *Roggenbach* to Mr. *Baillie.*

(Translation).

The Ministry for Foreign Affairs in the Grand Duchy of Baden, in accordance with its organised position, as fixed by the Edict of 1809, is intrusted with every kind of negotiation with foreign Sovereigns and Governments, with the single exception of the Papal Court; negotiations with which are necessarily reserved for the co-operation of the Department of the Interior as the Ministry of Public Worship. In course of time a second exception to the rule respecting the competency of the Ministry for Foreign Affairs to deal exclusively with all international negotiations was made, by which all questions between the different Governments of the Zollverein, concerning the fulfilment of the provisions of the Treaties upon which that union is founded, are discussed and settled by direct correspondence between their respective Ministers of Finance. The fundamental idea of the Zollverein, that the States of the Zollverein form a united whole in respect of those matters which are regulated by the Zollverein Treaties, has caused such questions to be regarded as internal affairs; and in the interest of a more rapid and easy despatch of business, has led to the adoption of the now universally received practice of allowing the necessary correspondence respecting the carrying out of the existing Zollverein Treaties to be conducted by the Departments specially conversant with the subject. This exception, however, only holds good within the above-named limits. With all cases in which there is a question of restoring or establishing relations with Foreign Powers, or of constitutionally fixing a new or changing an existing treaty relation, the Ministry for Foreign Affairs is exclusively competent to deal though dependent naturally on the sanction of the Sovereign and on the necessary consultation with other Departments.

In matters of commerce and trade, as well as in other affairs, the Ministry of Foreign Affairs represents the Government abroad in conformity with its organisation; and the Ministry of Commerce, which is specially concerned with all business connected with trade and industry, can only give formal expression to its views and wishes on such matters abroad, and to Foreign Governments, through the organ of the former Ministry.

The Grand Ducal Missions, Consuls and Consular Agents abroad are under the Ministry of Foreign Affairs, and only receive their instructions from thence; and that Ministry is the channel through which any communications which other Departments may wish to make to the above-mentioned Diplomatic and Consular Agents are forwarded, and through which all reports, propositions, &c., from such agents are transmitted to other Ministries for their consideration and advice.

The questions proposed may be answered as regards the Grand Duchy, as follows:—

1. The Grand Ducal Ministries for the internal administration, as well as the Ministry of Commerce, must, in all matters connected with their Departments, with the two above-mentioned exceptions, make use of the Ministry of Foreign Affairs, as the medium of communications of whatever kind with foreign Governments; and similarly with the above reserve, all communications from foreign Governments, even on commercial affairs, must be adressed to the Department of

App. No. 5.

Foreign Affairs, which, as far as necessary, acts upon them in concert with those Departments more specially conversant with the subject.

2. Commercial questions are brought under the notice of foreign Governments through the Ministry of Foreign Affairs, upon a resolution having been formed by the Grand Ducal Government after consultation with the other departments.

The formal management of such international negotiations is reserved for the Ministry of Foreign Affairs, which Ministry is always in a position to allow other Ministries their due influence, by appointing Plenipotentiaries and persons conversant with the subject from them; and in general the preparation of, and final decisions for such international Conventions are always submitted to the common consideration of all the Ministries occupied with the question.

3. No division of labour in matters of trade and commerce accordingly exists between the Ministries of Foreign Affairs and Commerce.

The latter is by its constitution entrusted with the care of these interests at home.

Whenever there is a question of any change in the commercial relations with other countries, either as regards the entering upon a new alliance, or improving existing relations, which gives rise to discussions with foreign Governments, and renders it necessary to make communications to them, the Ministry of Commerce has recourse to that of Foreign Affairs for holding official intercourse with those Governments; the latter department being the appointed authority over Grand Ducal Missions, Consuls and Commercial Agents has made it a special duty to become fully conversant with the general movements of trade and commerce as far as they have any bearing on the commercial interests of Baden.

In conclusion, the undersigned begs to add to this brief notice, that it is only since the creation, but a few years ago of the Ministry of Commerce, now specially charged with matters of trade which previously devolved on the departments of Foreign Affairs and the interior, that the Grand Ducal Government has been awakened to the necessity and advantage of making every effort to extend and improve its commercial relations with the great commercial countries.

The undersigned, &c.
(signed) *Roggenbach.*

No. 29.

Mr. *Bonar* to Earl *Russell.*

(Received May 4.)

My Lord, Munich, 1 May 1864.

With reference to your Lordship's Despatch, marked Circular, of the 19th instant, addressed to Lord Augustus Loftus, with regard to the relative action of the Departments for Foreign Affairs and of Commerce, I have given myself the trouble to ascertain, in conformity with your Lordship's instructions, the mode of proceeding customary in this country.

I spoke upon the subject in every detail, with Baron de Schrenk, who himself holds here the two portfolios of Foreign Affairs and of Commerce, and learnt that the practice of the Bavarian Government is seemingly in all respects identical with that of Her Majesty's Government.

There is no commercial department forming part of, or specially attached to the Bavarian Foreign Office.

All information addressed from abroad to the Ministry of Foreign Affairs at Munich is at once communicated to the special Department for Commerce. It is there taken into consideration, and if deemed advisable, it is from thence again reported or commented upon to the Foreign Department, which latter branch of the administration, however, is the sole organ of further communication on the subject with the Bavarian Representatives, whether Diplomatic or Consular, abroad.

In the case of the negociations of a commercial treaty, all documents relating to it would be laid before the Ministry of Commerce, requiring their opinion on the technical matter, and the Department for Foreign Affairs would be guided in its action by that opinion, but would itself alone appear in the negotiation.

Although the Foreign Ministry contains no special department devoted solely to commercial matters, it is true that there is in it one person who, in preference to any other, would be employed on such questions, supposing his frequent cognizance of them to give him greater experience and knowledge in transacting them.

Thus, when the various phases of the proposed Treaty of Commerce, now still under consideration, between France and the Zollverein, were reported to the Foreign Department at Munich, M. Weber belonging to the Ministry for Foreign Affairs, was specially selected to meet a member of the Department of Commerce in deliberation thereupon; the latter department named, in the first instance, from its own body a commission, to whom all matters concerning that treaty should be referred for discussion; it then called in the opinions of all the Chambers of Commerce and Trade Unions of the Kingdom; and lastly, a succinct Report was drawn up by the Department of Commerce, embodying these various opinions or deduced from them, and was sent in to the Foreign Office, which latter sent its instructions in that sense to its representatives abroad.

The utmost deference is of course paid by the Foreign Department to the technical information afforded by the Department of Commerce, but in all other respects the Ministry for Foreign Affairs forms its own decision, independent of every other branch of the Administration, and the custom prevalent here appears to me to differ in no particular from that of Her Majesty's Government.

I have, &c.
(signed) *A. G. G. Bonar.*

No. 30.

Mr. *Lytton* to Earl *Russell.*

(Received May 9.)

My Lord, Copenhagen, 3 May 1864.

I have the honour to enclose a copy of a note which I have received from M. Vedel on the subject of the questions contained in your Lordship's Despatch of the 19th ultimo to Sir A. Paget, respecting the manner in which commercial questions with foreign countries are treated in Denmark.

I have, &c.
(signed) *R. Lytton.*

Enclosure in No. 30.

M. *Vedet* to Mr. *Lytton*.

Copenhague,
Monsieur, le 2 Mai 1864.

En réponse à la communication que vous avez bien voulu me faire pour me demander des renseignements sur notre administration commerciale, j'ai l'honneur de vous adresser les observations suivantes:—

Nous n'avons pas en Danemark un Ministère à part pour le commerce; mais les questions y afférentes sont selon leur nature distribuées entre le Ministère de l'Intérieur, celui des Finances, et celui des Affaires Etrangères.

Ainsi tout ce qui a trait au commerce comme métier est du ressort du Ministère de l'Intérieur; l'administration des douanes et des autres taxes indirectes, ainsi que les travaux de statistique, appartiennent au Ministère des Finances; mais la direction des rapports immédiats du commerce national avec l'étranger, ainsi que la correspondance avec les Consuls du Roi, est confiée au Ministère des Affaires Etrangères.

Le Département du dit Ministère que se trouve chargé des affaires en question, dirige de plus les négociations des Traités et Conventions de Commerce et de Navigation, et redige les textes des projets y relatifs, qui avant d'être presentés à l'approbation Royale sont invariablement soumis à l'examen préalable des autres Ministères, surtout de celui des Finances, et, s'il y a lieu, des Chambres de Commerce de la Monarchie.

En me livrant à l'espoir que vous trouverez satisfactoires les renseignements qui précèdent, je profite, &c.

(signé) *P. Vedel.*

No. 31.

Mr. *Jerningham* to Earl *Russell*.

(Received 12 May.)

My Lord, Stockholm, 6 May 1864.

With reference to my Despatch of the 29th ultimo, I have the honour to enclose a copy of the reply of Count Manderström to my letter requesting information regarding the relations between the Ministry of Foreign Affairs and the Ministry of Commerce.

Your Lordship will observe that his Excellency offers any further information which the Parliamentary Committee may require.

I have, &c.
(signed) *G. S. S. Jerningham.*

Enclosure 1 in No. 31.

Count *Manderström* to Mr. *Jerningham*.

Monsieur, Stockholm, ce 24 Mai 1864.

J'ai eu l'honneur de receovir la note du 29 du mois passé, par laquelle vous m'avez demandé de la part du Gouvernement de Sa Majesté Britannique des renseignements sur les régles établis dans les Royaumes Unis à l'égard de la correspondance des Agents Diplomatiques et Consulaires avec les autorités Suédoises et Norvégiennes concernant les affaires commerciales et sur la manière dont les négociations commerciales avec d'autres pays sont traitées par le Gouvernement du Roi.

App. No. 5.

En réponse à ces demandes je me fais un plaisir de vous communiquer, Monsieur, les informations suivantes:—

Toute la correspondance des Agents Diplomatiques du Roi est adressée au Ministère des Affaires Etrangères, soit qu'elle regarde les affaires purement politiques, soit qu'elle concerne des questions exclusivement commerciales ou Consulaires. Par contre, la correspondance des Agents Consulaires est divisée en deux catégories, savoir: celle comprenant les affaires communes aux deux Royaumes et celle qui ne regarde qu'un seul d'entre eux. C'est au Ministère des Affaires Etrangères que doivent être adressés les rapports sur des affaires rentrant dans la première de ces catégories; mais la correspondance sur les matières de la seconde catégorie est adressée au Collège de Commerce Suédois, si elle concerne seulement la Suède, ou bien au Département de l'Intérieur de Norvège si elle regarde exclusivement les intérêts de ce dernier pays. Pour plus ample information, j'ai l'honneur de ci-joindre une traduction Anglaise de notre Réglement Consulaire, dont le § 1 et les Articles V et VI (§§ 29-56) traitent plus particulièrement le sujet en question.

Les affaires commerciales communes aux deux Royaumes (et les négociations des Traités ou Conventions de Commerce ou de Navigation sont censées faire partie de cette catégorie) sont, en thèse générale, décidées par une Résolution du Roi; mais avant de soumettre l'affaire à la décision Royale, le Ministre des Affaires Etrangères doit avoir pris d'abord l'avis des autorités compétentes, lesquelles sont dans ce cas le Collège de Commerce de Suède et le Département de l'Intérieur de Norvège, et ces avis sont référés en même temps que l'affaire elle-même au Conseil du Roi. S'il s'agit de négociations avec les Puissances Etrangères pour la conclusion d'arrangements de commerce ou de navigation, le Département des Finances ou bien celui de l'Intérieur, selon la nature de la question, pourra également rapporter l'affaire à la décision du Roi, et en tout cas l'avis de ce Département doit avoir été entendu avant la décision finale. Il faut encore remarquer que toute Résolution Royale à l'égard de ces questions est prise en Conseil d'Etat composé de Membres des Conseils des deux pays. Il y a au Ministère des Affaires Etrangères une division spéciale pour les affaires commerciales et consulaires, et dont le chef doit s'occuper plus particulièrement des questions des cette nature.

Les affaires commerciales qui ne touchent que les intérêts d'un seul des Royaumes sont décidées par le Collège de Commerce en Suède et par le Département de l'Intérieur en Norvège, à moins que la gravité de la question n'exige qu'elle soit soumise à la décision du Roi, qui alors arrête sa résolution en Conseil formé exclusivement de membres du pays dont les intérêts sont affectés. Ces autorités pourront également prendre l'initiative dans les questions sur lesquelles elles croiront devoir fixer l'attention spéciale du Gouvernement du Roi. Elles ont aussi à poursuivre devant les tribunaux les Agents Consulaires qui auraient failli à l'exécution de leurs devoirs de service et les affaires litigieuses sont traduites par elles au tribunal compétent du pays.

Si les informations que je viens de vous communiquer ne paraîtront pas suffisantes à la Commission Parlementaire qui aura à examiner ces questions, je vous prie, Monsieur, de vouloir bien

App. No. 5.

m'indiquer les points de détail sur lesquels on désirerait être plus spécialement renseigné, et je m'empresserai d'y faire une réponse satisfaisante.

Je saisis, &c.
(signé) *Manderström.*

Enclosure 2 in No. 31.

EXTRACTS from the Regulations for the Swedish and Norwegian Consular Service.

Cap. I.—Superintendence and Appointment of Consuls and Vice-Consuls.

Section 1. The superintendence of the Consular Service is placed under the Minister for Foreign Affairs, in all that concerns the United Kingdoms in common; under the Swedish Board of Trade as relates particularly to Sweden; and under the Norwegian Home Department, in matters relating especially to Norway.

Cap. V.—Consular Duties in general.

Section 29. It is incumbent on every Consular Officer zealously and uprightly to promote the interests of the two kingdoms in general, and of their trade and navigation especially, and to give his best advice and assistance when called upon to all Swedish and Norwegian subjects.

Section 31. The Consul will strictly fulfil the duties required of him by the Minister for Foreign Affairs, the Board of Trade, the Norwegian Home Department, and his Majesty's mission in the country. He will correspond direct with these authorities.

Section 31. The Consul will give his careful attention to the trade and navigation of the United Kingdoms within his district, and endeavour to collect early and correct information of all political, administrative, and other circumstances that can affect the same, and report thereon to the Board of Trade and Norwegian Home Department. It is especially incumbent on him to acquaint these authorities with all laws, statutes, and municipal regulations published in the country relative to trade or navigation, and with all dues and port-charges affecting the relations of the United Kingdoms with the district. Whenever such laws, statutes or regulations are of more than usual importance, the Consul will send home copies thereof by the first opportunity, and he will in like manner forward notices of lights, beacons and buoys in the countries traded to by vessels of the United Kingdoms. The Consul will likewise report to the Minister of Foreign Affairs, or to the other above-named authorities, according to the circumstances and nature of the business, such other matters and events not connected with trade, as may be of importance to the United Kingdoms, or to either of them.

Section 32. Before the end of January the Consul will forward to the Board of Trade and Norwegian Home Department, a circumstantial Report of the Trade and Shipping of the United Kingdoms within his district during the past year, and of the prospects for the current year; and he will communicate his views as to the measures he considers best calculated to promote the trading interests of Sweden and Norway with the district. An abridgment of these reports must at the same time be sent to the Minister for Foreign Affairs.

The annual report to the Board of Trade is to be accompanied by a complete statement, according to the annexed form No. 1, of all Swedish vessels which have visited the district during the year, and a summary return of the aggregate number and tonnage of Norwegian vessels. A similar specified statement of the Norwegian ships, and a summary return of the aggregate number and tonnage of Swedish vessels, in accordance with form No. 1, must be sent with the Consul's annual Report to the Norwegian Home Department. If these papers are so voluminous that they cannot conveniently be sent by post, or if they cannot be completed before the end of January, the Consul will, within the said time, send an abridgment of them, according to the annexed form No. 2, and forward the complete shipping returns and reports as soon after as possible, by suitable opportunity.

Section 33. If the Consul, in addition to his own district, is appointed Consul General in the country, he will include in the reports for his district required by Section 32 a review of the trade and navigation of the United Kingdoms with the whole country, and of the commercial relations of that country in general, together with the laws and regulations relating thereto, that have been passed during the year. Where there is such a Consul General, the Consuls in the country, on sending in the yearly reports named in Section 32, will at the same time forward to the Consul General an abstract thereof, and a summary of the aggregate number and tonnage of the Swedish and Norwegian ships which have visited their districts during the year. The report of the Consul General should be sent to the aforesaid authorities before the end of March. Consuls General have no authority over the ordinary Consuls appointed in the country.

Section 34. Should any epidemic disease break out in the district, or the neighbourhood, the Consul, as soon as he has knowledge thereof, will report the same to the Board of Trade and to the Norwegian Home Department, and will also inform the said authorities when the distemper has ceased. With reference to the quarantine regulations of the United Kingdoms, Consuls will be guided by the special instructions given on that head. Infectious diseases among cattle are to be reported to the Board of Trade and to the Norwegian Home Department.

Section 35. When a subject of either of the United Kingdoms is charged before a foreign tribunal with any offence affecting his personal liberty, the Consul, if required by the accused, will be present at the examination and trial either in person or by trustworthy deputy.

Section 36. When any Swedish or Norwegian subject dies within the district, and the proper heirs, or their agent, are not on the spot, the Consul will, so far as the laws of the country permit, take charge of the effects. The notice of death, and of the effects of the deceased, must be reported to his Majesty's Mission, if any, as well as to the Board of Trade, if the deceased was a Swede, and to the Norwegian Home Department if a Norwegian.

Section 37. Should the Consul find that the commercial treaties or other conventions subsisting between the United Kingdoms and the country where he resides, are not strictly observed, or that any subject of the United Kingdoms is denied the rights and privileges secured to him under such treaties or by international law, he will at once report

report the same to the Minister for Foreign Affairs, and to his Majesty's mission in the country, if any. A like report will also be made if the Consul is obstructed in the exercise of his functions by the authorities of the country, or if he does not receive the assistance he may consider himself entitled to.

Section 38. In every Consulate a journal shall be kept of the letters and documents received at or despatched from the office. All letters addressed to the Minister for Foreign Affairs, the Board of Trade, and the Norwegian Home Department, shall be numbered each with a distinct set of numbers, and commencing with a new series each year.

Section 39. Vice-consuls will conform to the instructions which, in accordance with the Consular law or other regulations, are to be given to them by the Consul of the district.

Section 40. Vice-consuls correspond with the Consul of their district; but when particular despatch is required they may address themselves direct to the proper authorities in Sweden or Norway. In such case they will at the same time report to the Consul of the district.

Section 41. Vice-consuls exercise their office in general on their own responsibility; but the proper Consul is accountable for the acts of a Vice-consul so far as they are in accordance with instructions given by the Consul.

In money transactions pertaining to the office the Consul is responsible for a Vice-consul who has been proposed by him, and appointed according to Section 12. A like responsibility rests on the Consul for any person proposed or deputed by him to act during his absence as in Sections 18 and 19. Vice-consuls are in like manner answerable for persons proposed or deputed by them according to Section 20.

Cap. VI.—Duties as to Merchant Vessels and Crews.

Section 42. On the arrival of a Swedish or Norwegian vessel at a port where a Consul or Vice-consul is stationed, the master will, within the time fixed by special laws of Sweden and of Norway, appear at the Consulate and deliver his ship's papers to be examined and endorsed by the Consul. The master will report to the Consul when he is ready to leave the port. The master is bound to give to the Consul all the information he may require concerning voyage, ship, cargo, and crew. If the Consul find any irregularity in the ship's papers, or other cause for remark, he will report the same to the Board of Trade if the vessel is Swedish, and to the Norwegian Home Department if Norwegian. If the master do not comply with the duty required of him as aforesaid he is to be reported, that he may be brought to account according to law.

Section 43. On the arrival of every Swedish or Norwegian ship, the Consul will ascertain whether all the seamen entered in the muster-roll or list of crew are on board, and if any one be missing, note on the said papers the reason assigned. Any changes of master or crew that take place while the ship is in port are to be noted by the Consul on the muster-roll when the ship is ready to sail. Seamen engaged by a Swedish or Norwegian vessel while in a foreign port are to appear at the Consulate, and the Consul will certify the agreement.

Section 44. Whenever a Swedish or Norwegian ship, by reason of sale in a foreign country, has changed her nationality, the Consul of the place will take charge of the vessel's papers of nationality and give the master a receipt for them. The papers shall be cancelled and sent by the first ship to the Board of Trade if the vessel is Swedish, or to the Norwegian Home Department if Norwegian. In the latter case the Consul will see that the mark "Norsk Eiendom" (Norwegian property) on the vessel be totally effaced.

Section 45. When such a sale is made as in Section 44, the Consul will see that accounts are settled with the crew, and unless hired on the spot, that they be provided with the necessary means of returning home.

Section 46. When a foreign ship is bought for Swedish or Norwegian account, and the master intends to sail direct to Swedeh, if bought for Swedish account, or to Norway if for Norwegian account, the Consul may, after ascertaining the regularity of the purchase, provide the ship with a certificate of nationality, which must expressly state that it is in force only for the voyage home, and for no other purpose. If the master desires to sail under the Swedish or Norwegian flag on any other voyage than direct to the owner's country, no certificate of nationality can be granted by the Consul, but he will refer the parties to the Board of Trade or Norwegian Home Department, according as the vessel is bought for Swedish or Norwegian account.

Section 47. If any seaman or other person serving in a Swedish or Norwegian ship shall desert while at a foreign place, the Consul, if desired by the master, will use every means allowed by the laws of the place, and by the treaties between the United Kingdoms and the foreign country, to recover the deserter on board. All expenses attending this proceeding must be paid by the master. If a Swedish or Norwegian seaman is pressed for war-service, the Consul, on receiving notice thereof, will immediately claim his release.

Section 48. Whenever any Swedish or Norwegian vessel be wrecked or stranded within the district, the Consul will report the same to the Board of Trade if the vessel is Swedish, or to the Norwegian Home Department if she is Norwegian. If the ship become a wreck, and her papers of nationality are recovered, the Consul will dispose of them as directed in Section 44.

Section 49. If the Consul has reason to suspect that the ship has been unfairly stranded or wrecked he will investigate the matter, and, if necessary, order the crew to appear before the local authorities, to give an account of the accident. The Consul will also report the case to the Board of Trade or Norwegian Home Department, according as the ship is Swedish or Norwegian.

Section 50. When a Consul's official interference is required on occasion of the wreck or stranding of a Swedish or Norwegian vessel, he will give to the parties every assistance in his power. If the master or mate of the ship are saved, or if any other authorised agent of the owners of ship or cargo is present, the Consul will not, unless expressly applied to by the parties, take any steps for the collection or disposal of the effects saved from the ship or cargo. If the Consul find that this is improperly managed, and that manifest wrong is done, he will report the case to the owner or other parties concerned.

If the master and mate are lost, and there is no other authorised agent of the owners of the ship or cargo, the Consul will either go himself to the spot or send a trustworthy agent, to see that every proper means are used towards preserving the

App. No. 5.

property. If the owner's directions can be obtained it should be done without delay; but if it be found, on examination, that the property, or any portion thereof, is liable to damage by waiting for the owner's decision, the Consul may of his own accord cause them to be sold by public auction, rather than in any other manner, and receive the proceeds for account of whom it may concern.

Section 51. If a Swedish or Norwegian ship is captured, or any part of her cargo taken by a privateer or pirate, the Consul who receives notice thereof will apply for assistance to the proper authorities for the release of the ship and cargo, or restitution of what has been taken away, and report the case immediately to the Minister for Foreign Affairs, and to his Majesty's mission, if there is one in the country.

Section 52. In case of dispute arising between the master and any of the crew of a Swedish or Norwegian ship, the Consul will summon the parties before him, and endeavour to reconcile them. If they cannot be reconciled, the Consul will settle the dispute; but no fine or other punishment can be inflicted by him, and the disputing parties must abide by the decision of the Consul until such time as the question can be legally tried at home or otherwise properly decided in the country to which the ship belongs.

If any of the crew, in consequence of such a dispute, desire to leave the vessel, or the master require that any of them shall be discharged, and the Consul is satisfied that the claim is well founded, and that, for the prevention of outrage, crime, or disaster, it is needful that the person should be discharged, he may grant his sanction, after due settlement of accounts in his presence. In both cases the Consul will determine, according to circumstances, how far the master shall pay the expense of sending the man home, provided he is not employed in some other vessel.

Section 53. Whenever the owner of a vessel orders the discharge of a master, and the master refuses to submit to this order, the Consul will take measures to enforce the order.

Section 54. If the Consul find, from the complaints of the crew or otherwise, that the master cannot, without evident danger to the crew, ship, and cargo, continue in command of the vessel, he will at once inform the owners, or their agents, if there are any at the place. Contrary to the owner's express instructions, or in opposition to his agent's orders, the Consul cannot dismiss the master; but if there is no agent, and the circumstances do not admit of awaiting the owner's directions, the Consul may, in such case, remove the master from command of the ship, and transfer it to the mate or other trustworthy person, who, except from necessity, must be of no other nation than that to which the ship belongs. The Consul will give a written appointment to the new master, and endorse the change on the ship's papers; and he will report hereon immediately, as well to the owner as to the Board of Trade if the vessel is Swedish, or to the Norwegian Home Department if Norwegian.

If, in the case aforementioned, the Consul finds that there is no sufficient ground for removing the master, and on this account any of the crew desire to leave the ship, the Consul will decide the question as in Section 52.

A Vice-consul may not of his own accord dismiss a master from his command; but when any such question arises, he will apply to the Consul for instructions, and be guided thereby, unless the owner's decision can first be obtained.

Section 55. If any offence be committed on board a Swedish or Norwegian vessel which is to be tried before a tribunal of the country to which the ship belongs, the Consul will investigate the matter, and send home the accused under surveillance, or in custody, according to the nature of the offence, in the most convenient manner, but, if possible, by a ship of one of the United Kingdoms, and deliver to the master of the ship a certified copy of the minutes of the inquiry, to be delivered with the accused to the proper authorities at the port where the vessel shall arrive. It is incumbent on the Consul not only to report the opportunity by which the accused are sent home, but to send in a statement of the case to the Board of Trade, if the offence has been committed in a Swedish, or to the Norwegian Home Department if in a Norwegian vessel.

Section 56. If the master of a Swedish or Norwegian vessel dies, or is prevented by sickness from sailing the vessel, the Consul will order the mate, or other proper person, to take the command until the owner's decision is known. With respect to the nationality of the new master, &c., the Consul will be guided by Section 54.

Appendix, No. 6.

PAPERS put in by Mr. *Hammond*, on 10 June 1864.

CORRESPONDENCE between the Board of Trade and the Foreign Office respecting the Negotiation of a COMMERCIAL TREATY between *Great Britain* and *Belgium*. App. No. 6.

No. 1.

Mr. *Hammond* to Mr. *Booth*.

Foreign Office, 4 April 1860.

Sir,

I AM directed by Lord John Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a despatch from Her Majesty's Minister at Brussels, respecting certain overtures made to France by the Belgian Government for the revision of the commercial tariffs of the two countries.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 1.

(No. 52.)

Lord *Howard de Walden* to Lord *J. Russell*.

Brussels, 2 April 1860.

My Lord,

FOR several days past rumours have been generally prevalent of the approaching signature of a Treaty of Commerce between Belgium and France, in which concessions important to the industry of this country have been agreed to. This is not the case. It is true that overtures have been made by this Government for the mutual revision of the duties of the respective tariffs bearing on the commercial transactions between the two countries which have been well received; but I learn from M. Rogier as well as from Count de Monttessin that as yet negotiations have not commenced, and that it is not probable that any decision whatever will be taken by France until the treaty with Great Britain shall have been ratified and become law.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 2.

Mr. *Hammond* to Sir *J. Emerson Tennent*.

Foreign Office,
20 December 1860.

Sir,

I AM directed by Lord John Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, the accompanying copy of a despatch from Her Majesty's Ambassador at Paris, respecting the commencement of the negotiations for the revision of the tariff between France and Belgium.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 2.

(No. 1609.)

Earl *Cowley* to Lord *J. Russell*.

Paris, 14 December 1860.

My Lord,

THE negotiations for the revision of the tariff between France and Belgium have commenced. M. Thouvenel has renewed the assurances which he gave Mr. Cobden and myself, that Her Majesty's Government should be informed of any points coming under discussion which may interest them.

I have, &c.
(signed) *Cowley.*

No. 3.

Mr. *Bowring* to Mr. *Hammond*.

Office of Committee of
Privy Council for Trade, Whitehall,
31 December 1860.

Sir,

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 24th instant, inclosing a copy of a despatch from Her Majesty's Ambassador at Paris, announcing the commencement of the negotiations for the revision of the tariff between France and Belgium, and stating that M. Thouvenel has renewed his assurance that Her Majesty's Government should be informed of any points coming under discussion which may interest them.

In Mr. Cobden's letter to Lord Cowley, of the 17th November last, a copy of which was enclosed in your letter to this Board of the 23d of that month, he calls attention to the omission from the tariff annexed to the second Supplemental Convention of the 15th November last, of salt and paper, the decision with respect to which had been postponed at the request of the French Government, for reasons which are stated in Mr. Cobden's letter.

He adds, that it was understood that the duties upon these two articles would be dealt with in the Commercial Treaty with Belgium, then shortly to be negotiated, and would become equally applicable to similar produce of the United Kingdom, in virtue of the most favoured nation article of the recent Supplemental Convention; and he further states that it was intended that Her Majesty's Ambassador should be invited to take a part in the negotiation of this part of the tariff, and that he would direct any documents or papers in his possession, bearing on this subject, to be deposited at the Embassy.

App. No. 6.

As the negotiations with Belgium have now commenced, my Lords would be glad to be informed whether Lord Cowley has received any communication from the French Government as to their views and intentions with respect to these two branches of trade.

The present duties in France upon salt imported from the United Kingdom are of a prohibitory character; and the substitution of duties which would admit British salt freely into French consumption is an object of great importance to both England and France.

A large and increasing market would be thus opened for a very valuable natural production of this country; and in several points of view a cheap supply of salt would have a most beneficial effect on the industrial economy of France.

The use of salt for agricultural purposes, to which it is so extensively applied in this country, is almost unknown in France, and might be introduced with great advantage.

The various chemical manufactures of which salt is the principal material, are deeply interested at the present juncture in obtaining an increased supply at a diminished cost.

And lastly, the trade in salt would be of peculiar value to French shipping in affording a ready return freight to vessels bringing merchandise to this country.

My Lords would be glad to learn whether the recent inquiry into the condition of the salt interest in France has opened any prospect of a modification of the internal tax now levied on this product. They fear that no measure short of this will lead to a very extensive consumption of salt in that country; but in any event they trust that a very moderate import duty will be placed upon it; and that when destined for manufacturing purposes it will be exempted from the internal tax, subject to any regulations which may be made in pursuance of the provisions contained in Article III. of the second Supplemental Convention.

The price of mineral salt in Cheshire, in 1859, was stated by the delegates of the Northwich Chamber of Commerce to the "Conseil Supérieur du Commerce" in August last, to have been about 6 francs 10 centimes per ton, at the place of production.

The cost of freight and other charges to be incurred in transporting it to France are stated to be about 15 francs per ton, so that the price per ton in bond in France would be about 21 francs per ton.

In estimating the per-centage of duty upon this price, it must not be forgotten that about 75 per cent. of the whole is the cost of transport, which operates in itself as a protective duty.

My Lords are informed that it is calculated that a duty of two or three francs per ton would be compatible with a trade from this country, and if it is found that the French Government are not able to reduce it below this amount, they think that this result would not be considered as unsatisfactory by British interests concerned.

But it is most desirable that whatever rate of duty be imposed, the regulations with regard to rebate and allowances for removal from bond, as well as to the payment of internal duty, should be identical with those enforced with respect to salt of French production.

On the subject of paper, Lord John Russell is aware that there is no great probability at present of a very large exportation from this country to France, even under a moderate tariff; but considering the recent legislation of the United Kingdom with regard to foreign paper, and the restrictions which are still imposed on the exportation of rags from France, my Lords hope that the French Government will think it right to admit British paper at the lowest possible rate of duty consistent with the interests of their revenue.

I have, &c.
(signed) *E. A. Bowring.*

No. 4.

Mr. *Hammond* to Mr. *Booth.*

Foreign Office,
Sir, 5 January 1861.

I AM directed by Lord John Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, copies of two letters from the Bradford Chamber of Commerce, calling attention to the position in which worsted and woollen goods, the produce of Great Britain imported into Belgium, will stand as compared with the same articles the produce of France imported into Belgium under the terms of the projected Commercial Treaty between France and Belgium.

I am also to inclose copies of two instructions which Lord John Russell has addressed to Her Majesty's Minister at Brussels on this subject, and I am to request that, in laying these papers before the Lords of the Committee, you will move their Lordships to favour Lord John Russell with such observations as they may have to make in this matter.

I have, &c.
(signed) *E. Hammond.*

Enclosure 1, in No. 4.

The Chairman of the Bradford Chamber of Commerce to Lord *J. Russell.*

Bradford Chamber of Commerce,
My Lord, 3 November 1860.

I AM desired by the Council of this Chamber to inform you that they understand that it is the intention of the Government of Belgium to make a considerable reduction in the import duties upon worsted and woollen goods, but the Council have not been informed whether this reduction is to be in consequence of a general revision of the tariff, or of the Treaty of Commerce to be negotiated with France.

In the latter case, the Council beg to draw your Lordship's attention to the fact that Belgium has repeatedly granted privileges which she has denied to England.

The Council of the Bradford Chamber of Commerce have frequently protested against this injustice, based, as the Council still persist in believing, upon an erroneous interpretation of the Treaty of October 27, 1851, between this country and Belgium.

The Council, therefore, consider it their duty to draw your Lordship's attention to this impending danger to our commerce, and they are persuaded that Her Majesty's Government will use their best

best endeavours to place at least our intercourse with Belgium upon that footing of equality with other nations to which it has so many equitable, if not strictly legal claims.

I have, &c.
(signed) *John Darlington.*

Enclosure 2, in No. 4.

The Chairman of the Bradford Chamber of Commerce to Lord *J. Russell.*

Bradford Chamber of Commerce,
My Lord, 4 January 1861.

THE Bradford Chamber of Commerce has had the honour to draw your Lordship's attention, on the 3d of November, to the alteration which Belgium was understood to be contemplating in the duties on woollen and worsted goods, and has since, on the 18th of December, referred to their former letter without having been honoured with your Lordship's answer to either.

What then was hearsay has since become a well understood fact; viz., that Belgium is on the eve of concluding a Treaty of Commerce with France, which, of course, will be as nearly as possible, upon the same terms as that between England and France.

As this Chamber has had the honour to observe on many occasions, when they have addressed the Foreign Office on this subject, the French fabrics have enjoyed a privilege on their admission into Belgium which has been denied to England.

The difference on these duties has been high enough to replace British manufactures by French in the consumption of Belgium, proofs of which have been given in the correspondence on this subject, which has extended over a period of more than five years, without producing the slightest result, notwithstanding the repeated assurances received from your Lordship's predecessors, that on every fitting opportunity the claims of the British manufacturer should be fully recognised.

The state of law of Belgium exists as before, and now that it is more than probable that French worsted and woollen manufactures will be allowed to enter Belgium at a maximum duty of 15 per cent., to be reduced to 10 in 1864, the present tariff which British goods are subject to, would be tantamount to an absolute prohibition.

British worsted goods pay at present in Belgium a specific duty, which amounts to from 32½ to 37½ per cent. *ad valorem.*

The Chamber considers that this simple fact is strong enough to justify them, without any more comment, in again strongly urging your Lordship's immediate attention to this important subject, which they cannot but feel has not received that consideration which its vast importance demands; and they also fear, from their not having received any acknowledgment of their two last letters, that they have not been brought under your Lordship's notice, and trust that their present communication may be more fortunate.

I have, &c.
(signed) *Henry W. Ripley.*

Enclosure 3, in No. 4.

(No. 1.)

Lord *J. Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 3 January 1861.

I ENCLOSE for your Lordship's information the copy of a letter from the Bradford Chamber of Commerce, respecting a report which has reached the Chamber that the Belgian Government contemplate making a considerable reduction in the import duties upon worsted and woollen goods, in connection with the negotiation of a Commercial Treaty with France.

I have to instruct your Lordship to take steps to ascertain what foundation there is for the report to which the Bradford Chamber of Commerce alludes in this letter.

I am, &c.
(signed) *J. Russell.*

Enclosure 4, in No. 4.

(No. 2.)

Lord *J. Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 5 January 1861.

WITH reference to my despatch of the 3d instant, I transmit to your Lordship a copy of a further letter from the Bradford Chamber of Commerce, setting forth the circumstances under which they apprehend that worsted and woollen manufactures, the produce of Great Britain imported into Belgium, would be placed at a serious disadvantage as compared with the same articles imported from France, under the provisions of the Treaty of Commerce contemplated between the Governments of France and Belgium.

Your Lordship will inquire into the circumstances of the case, and report to me on the subject with as little delay as possible; adding your opinion as to the course which, if circumstances require it, Her Majesty's Government may best take to secure the British manufacturing interests from the injury which the Bradford Chamber of Commerce appear to apprehend.

I am, &c.
(signed) *J. Russell.*

No. 5.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 11 January 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 5th instant, transmitting copies of two letters from the Bradford Chamber of Commerce, calling attention to the position in which worsted and woollen goods, the produce of Great Britain imported into Belgium, will stand as compared with the same articles, the produce of France, imported into Belgium, under the terms of the projected Commercial Treaty between France and Belgium; together with copies of two instructions which Lord John

App. No. 6.

Russell has addressed to Her Majesty's Minister at Brussels on this subject.

In reply to Lord John Russell's request to be favoured with such observations as my Lords may have to make in this matter, I am to observe that, looking only to the terms of the existing Treaty of Commerce between this country and Belgium, concluded in 1851, and bearing in mind the fact that that treaty does not contain any most favoured nation clause, there appears to be no doubt that Belgium is legally entitled to confer upon the commerce of France privileges which she withholds from the commerce of the United Kingdom, and that the fears entertained by the Bradford Chamber of Commerce, that the result of the conclusion of the proposed treaty between France and Belgium may be to give French woollens an advantage over British woollens in the Belgian market, may possibly be realized. My Lords do not, however, apprehend that this country, which now treats Belgium on the footing of the most perfect equality, will in practice be exposed to treatment so manifestly injurious and unfair.

It will be in the recollection of Lord John Russell, that the existing Treaty of 1851, between the United Kingdom and Belgium, was concluded under very exceptional circumstances, at a time when the commercial system of Belgium was based upon entirely vicious principles, when differential duties formed the rule in her tariff, when the doctrines of protection continued in force, and when, moreover, she was fettered by treaty stipulations towards her powerful neighbour, France. The treaty in question was looked upon as her first step in the path of commercial emancipation, and although it contains one or two provisions involving a certain departure from the principle of absolute equality usually stipulated for by this country, and also is deficient in so far as it does not include a most favoured nation clause, Her Majesty's Government were at that time willing to assent to it as a move in the right direction on the part of Belgium, relying also on the assurances then given by the Belgium Government, that it would be followed at an early date by an entire reform in her system of commercial policy. Care was also taken to conclude the treaty for the comparatively short period of seven years, and it is now, and has been since the 10th April 1859, terminable at any time, on 12 months' notice being given by either of the contracting parties.

Experience has shown that Her Majesty's Government were not mistaken in the confidence reposed by them in the assurances of the Belgian Government, that their assent to the imperfect Treaty of October 1851, would shortly lead to important and liberal changes in the Belgian differential system, as may be seen by comparing the present Belgian tariff with that in force 10 years ago. The continued existence, however, of treaty engagements between France and Belgium, whereby each of those countries conferred upon the other exclusive tariff privileges, has up to the present time prevented Great Britain from competing upon equal terms in the markets of Belgium with their French rivals.

It has long been the desire of this department to see the treaty engagements between this country and Belgium, brought more into harmony with the sound economical principles which now happily obtain in practice in both countries, and negotiations for the conclusion of an amended treaty were entered into between Great Britain and Belgium, in the years 1858 and 1859. Those negotiations, however, led to no result, chiefly in consequence of difficulties raised by Belgium to the insertion of the most favoured nation clause, insisted upon by us as a *sine quâ non* in the new treaty, she alleging that her treaty engagements towards France prevented her at that time from assenting to such a clause. Those treaty engagements were renewed in May 1859, for a further period of two years, which will finally expire on the 12th May in the present year, and from that date (in the absence of fresh engagements entered into in the meantime) it will no longer be in the power of Belgium to plead her former excuse.

On this subject it is important to note the formal assurances more than once conveyed to Her Majesty's Government by the Government of Belgium, to the effect that, on the termination of her present treaty with France, the exclusive privileges granted to the latter country should not be renewed.

On the 28th February 1859, Her Majesty's Minister at Brussels informed Lord Malmesbury that he had received assurances from the Belgian Government that, although they were then about to renew for a limited period their existing treaty with France, their consent to do so was coupled with an intimation to France that the renewal was for the last time, "as it had become the policy of the (Belgian) Government to reduce the commercial relations of that country to one uniform system, and to henceforward abolish all distinctions of tariff in treaty engagements with foreign nations."

On the 25th March 1859, Lord Howard de Walden reported that this assurance had been repeated to him by the Belgian Government.

Again, on the 12th May of the same year, his Lordship recorded a declaration of the Belgian Government to the French Minister at Brussels, on the subject of the treaty, at that very moment being renewed for two years, that "it was not their intention to contract any new engagements with France based on the system of preferential duties."

In the face of these explicit and repeated declarations, my Lords cannot doubt that it is the full intention of the Belgian Government to accord to this country every tariff concession that they may make to France, in the treaty now being negotiated between France and Belgium.

At the same time it will doubtless be more satisfactory that such concessions should be secured to the United Kingdom by express treaty stipulations, rather than by a Belgian customs law, which may be at any time repealed. It should also be borne in mind, that the conduct of Belgium was not entirely satisfactory at the time of the abortive negotiations already referred to, as she then declined to assent to the insertion of a most favoured nation clause, even when coupled with the condition deferring the operation of such clause till after the expiration of her engagements towards France in May 1861.

My Lords would, therefore, suggest that Her Majesty's Ministers at Brussels should be instructed, without delay, to ascertain from the Belgian Government whether it is intended to grant to this country whatever privileges may be accorded to France by the treaty now in course of negotiation.

In the event (which my Lords cannot doubt) of a satisfactory answer being returned, it will,

in

in their Lordships' opinion, be desirable at once to re-open the negotiations for an amended Treaty of Commerce, in substitution for the existing Treaty of 1851, such amended treaty, of course, containing the most favoured nation clause. The conclusion of such a treaty will secure all the advantages sought for in the memorials of the Bradford Chamber of Commerce.

In the contrary event of its being found impossible to obtain a satisfactory reply to the above inquiry, my Lords have no hesitation in expressing their opinion that the time will have arrived when the Belgian Government should be made acquainted with the fixed determination of Her Majesty's Government not to consent to the grant of exceptional privileges to a third Power, such privileges being refused to us on the ground of our not being entitled to claim them under our existing treaty, and that an intimation should be simultaneously given of our intention to denounce that treaty, in accordance with its 19th clause.

In case such intimation should not suffice to secure a satisfactory result, my Lords will be prepared to recommend Her Majesty's Government actually to denounce the treaty without further delay.

I am, in conclusion, to suggest that Lord John Russell should cause the Bradford Chamber of Commerce to be informed that the subject of their two communications has not failed to receive the serious consideration of Her Majesty's Government.

I have, &c.
(signed) *J. Emerson Tennent.*

P. S.—Since the above letter was written, my Lords have received your letter of yesterday's date, inclosing copies of two despatches from Lord Howard de Walden in reply to the instructions addressed to him by Lord John Russell on this subject. Their Lordships learn with much satisfaction that it is not the intention of the Belgian Government to continue the grant of exclusive privileges to France, and trust there may now be no obstacle to the recommencement of negotiations with Belgium for the conclusion of an amended treaty.

No. 6.

Mr. *Hammond* to Mr. *Booth.*

Foreign Office,
Sir, 10 January 1861.

With reference to my letter of the 5th instant, I am directed by Lord John Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, copies of two despatches which have been received from Her Majesty's Minister at Brussels, in reply to those, of which copies were sent to you in my above-mentioned letter, respecting the apprehensions of the Bradford Chamber of Commerce as to the effect upon British manufactures of the projected commercial tariff between France and Belgium.

I have, &c.
(signed) *E. Hammond.*

Enclosure 1, in No. 6.

Lord *Howard de Walden* to Lord *J. Russell.*

My Lord, Brussels, 7 January 1861.

I have addressed myself to the Minister of Foreign Affairs, as instructed by your Lordship in your despatches of the 2d and 5th instant, on the subject of the apprehensions entertained by the Chamber of Commerce of Bradford as to the intention of the Belgian Government to establish a preferential tariff in favour of French woollens, admitting them at duties from 15 to 20 per cent., while levying a rate of 32½ per cent. to 37½ per cent. *ad valorem* on similar goods, the produce of British manufactures. His Excellency assured me that there was not the slightest intention on the part of the Belgian Government to make any such distinction, and moreover that no concession whatever in regard to duties would be made in favour of manufactures of France which would not be equally extended to those of Great Britain.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2, in No. 6.

Lord *Howard de Walden* to Lord *J. Russell.*

My Lord, Brussels, 7 January 1861.

In the conversation that I had with Baron de Vrière on the subject of the special representation of the Chamber of Commerce of Bradford, noticed in my previous despatch, his Excellency afforded me further explanations as to the policy of the Government in regard to the Custom-house tariff. He informed me that a complete work had been terminated on the subject with a view to a general revision of the tariff; that the principle which had been strictly kept in view throughout was the removal of everything like protection; that although it had been necessary to retain certain duties on mere fiscal considerations, at rates higher than he wished, yet that the system of gradual reduction would be persevered in.

He remarked, that in the face of the constant reduction in taxes carried out by the Minister of Finance, diminutions in the resources of revenue could not be extensively risked at once; that although he had great confidence in the ulterior beneficial results of a low Custom-house tariff, yet that some immediate falling off was eventually to be expected, and this must be borne in mind by the Minister of Finance. His Excellency, however, again most distinctly declared that a very low Custom-house tariff was the object they had in view, and that the assimilation of the commercial system of Belgium, as closely as possible to that of England, constituted the *bonâ fide* policy of the Belgian Government.

I have already explained to your Lordship that the desire not to cause political agitation at this moment by arousing the passions and apprehensions of conflicting interests, is the cause of the temporary postponement of the reform of the Custom-house tariff, as well as of projects of law for other important measures which the Government have in contemplation. Baron de Vrière has repeatedly made declarations to me, especially in the spring of 1859, as reported in my despatches of the 28th February, 25th March, and

App. No. 6.

13th May 1859, that it was not the intention of the Belgian Government to grant in any future treaty preferential advantage to French imports to the prejudice of those of a similar nature from Great Britain, and I have had no reason to doubt the sincerity of his assurances.

I am at a loss to conceive from what authority the Chamber of Commerce have derived the information which has excited their apprehensions expressed in the letter of the 3d November, as at that moment the instructions of Monsieur Liedts, the Belgian Plenipotentiary, had not then been decided upon, and he was still at Brussels.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 7.

Lord *Wodehouse* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 23 January 1861.

I HAVE laid before Lord John Russell your letter of the 11th instant, in which you convey the recommendation of the Lords of the Committee of Privy Council for Trade, that the negotiation which was undertaken with Belgium in 1859 for the conclusion of a new Treaty of Commerce to be substituted for that of 1851, and which failed chiefly because the treaty engagements of Belgium with France would not permit her to assent to a "most favoured nation" clause, should now be resumed.

I am to acquaint you that Lord John Russell has addressed to Her Majesty's Minister at Brussels a despatch, of which I inclose a copy, instructing him to make a proposition to that effect to the Belgian Government. Lord John Russell would be glad if, during the interval which may elapse before he receives a reply to that proposition, the Lords of the Committee would have the goodness to examine the draft of treaty approved by the Board of Trade in 1859, and inform him whether they think that draft fitting to be now again proposed to the Belgian Government.

I am, &c.
(signed) *Wodehouse.*

Enclosure in No. 7.

(No. 5.)

Lord *J. Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 22 January 1861.

HER Majesty's Government are happy to perceive, from your Lordship's despatches of the 7th instant, that the Belgian Minister for Foreign Affairs disclaims any intention on the part of his Government to continue by the new Treaty of Commerce now under negotiation with France a preferential tariff in favour of French woollens, and assures your Lordship that the assimilation of the commercial system of Belgium as closely as possible to that of England constitutes the *bonâ fide* policy of the Belgian Government.

Your Lordship is aware that in April and May 1859 communications took place between my predecessor, the Earl of Malmesbury and M. Van de Weyer, with a view to the conclusion of an amended Treaty of Commerce between Great Britain and Belgium, to be substituted for the Treaty of 1851.

The negotiation in question came to no result, chiefly because the Belgian Government, in consequence of their treaty engagements with France, were unable to assent to the insertion of a "most favoured nation" clause in the proposed new treaty. If, as I understand from your Lordship's despatches, the differential favours hitherto enjoyed by France will not be continued under the new treaty in course of negotiation between that country and Belgium, it seems to me that the main difficulty which prevented the negotiation of 1859 from attaining a satisfactory conclusion will have disappeared. In that case, Her Majesty's Government will be happy either to renew the negotiation with M. Van de Weyer here or to furnish your Lordship with full powers to carry on a negotiation at Brussels.

I am, &c.
(signed) *J. Russell.*

No. 8.

(Extract.)

Mr. *Bowring* to Lord *Wodehouse.*

Office of Committee of
Privy Council for Trade, Whitehall,
5 February 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter, of the 23d ultimo, stating that Lord John Russell had instructed Her Majesty's Minister at Brussels to make a proposition to the Belgian Government for the resumption of negotiations for an amended Treaty of Commerce with Belgium, and requesting their Lordships to examine the draft of treaty approved by the Board of Trade in 1859, and acquaint Lord John Russell whether they thought that draft fitting to be now again proposed to the Belgian Government.

In reply, I am to state, for his Lordship's information, that my Lords are of opinion that, looking to the altered state of circumstances since the draft in question was approved by this department, especially in the conclusion of a commercial treaty with France on an extended basis, and in the initiation of negotiations with other European powers for amended treaties, it will be better to adopt, as the basis of the proposed new negotiations with the Belgian Government, a draft treaty similar to that recently prepared by the Foreign Office and this department for submission to the Government of Austria, which draft embodied all the points for which it appears necessary to make provision. I am accordingly directed to enclose herewith, for Lord John Russell's consideration, the draft* of such a treaty.

The following Table of the rates of customs duty charged in the United Kingdom upon the principal

* This draft is not printed.

principal exports of Belgium produce to it in the years 1851, when the existing Belgian Treaty was concluded; 1859, when an amendment of that treaty was under consideration; and 1861 speaks for itself:—

	1851.	1859.	1861.
Animals	Free	Free	Free.
Apples, raw	6 *d.* per bushel	3 *d.* per bushel	Ditto.
Bark	Free	Free	Ditto.
Butter	10 *s.* per cwt.	5 *s.* per cwt.	Ditto.
Corn	1 *s.* per quarter	1 *s.* per quarter	1 *s.* per quarter.
Cotton yarn	Free	Free	Free.
Flax, undressed	Ditto	Ditto	Ditto.
Glass	3 *s.* 6 *d.* p' cwt.	Ditto	Ditto.
Hides	Free	Ditto	Ditto.
Oil seed	Ditto	Ditto	Ditto.
Poultry and game	5 p' ct. *ad val.*	Ditto	Ditto.
Seed, clover	Free	Ditto	Ditto.
Silk	Ditto	Ditto	Ditto.
Silk manufactures	15 p' ct. *ad val.*	15 p' ct. *ad val.*	Ditto.
Spelter	Free	Free	Ditto.
Sugar, refined	18 *s.* 8 *d.* p' cwt.	18 *s.* 4 *d.* p' cwt.	18 *s.* 4 *d.* p' cwt.
Wool	Free	Free	Free.
Woollen manufactures, unenumerated.	10 p' ct. *ad val.* (made up).	5 p' ct. *ad val.* (made up)	Ditto.
Yarn, worsted	6 *d.* per lb.	4*d.* to 6*d.* p' lb.	Ditto.

It will, therefore, be seen that the only two important articles of Belgian export to this country on which any customs duties at all are now levied are—corn, which pays a nominal duty of 1 *s.* per quarter, and refined sugar, the duty on which is levied for revenue purposes alone.

Lord John Russell will also be aware that the most favoured nation clause in the proposed treaty will secure to Belgium throughout its continuance the whole of the reductions and abolitions of customs duties accorded to France by the Treaty of last year. It will be for his Lordship to consider whether the amount of 15 per cent. as the maximum of duty to be imposed on British produce imported is, under all the circumstances of the case, higher than we may reasonably stipulate for in the case of British goods imported into Belgium.

No. 9.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 27 May 1861.

I AM directed by Lord John Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copy of a despatch which his Lordship addressed on the 20th instant to Her Majesty's Minister at Brussels, proposing that the Belgian Government should authorise M. Van de Weyer to resume the negotiations for a new Treaty of Commerce between Great Britain and Belgium. I am also to transmit a copy of the answer received from Lord Howard de Walden, stating that the Belgian Government accede to that proposal.

I have, &c.
(signed) *E. Hammond.*

Enclosure 1, in No. 9.

(No. 31.)

Lord *J. Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 20 May 1861.

THE new Treaty of Commerce between Belgium and France having now been signed, and there appearing to be little doubt of its receiving the sanction of the Belgian Chambers, the time seems to have arrived when the negotiation may be resumed for a new Treaty between this country and Belgium. I have accordingly to instruct your Lordship to mention this subject to the Belgian Minister for Foreign Affairs, and to propose to him that M. Van de Weyer should, as on former occasions, be authorised to enter upon the negotiation with Her Majesty's Government.

I am, &c.
(signed) *J. Russell.*

Enclosure 2, in No. 9.

(No. 89.)

Lord *Howard de Walden* to Lord *J. Russell.*

Brussels,
My Lord, 21 May 1861.

I READ to Baron de Vrière to-day your Lordship's Despatch, No. 31, of yesterday's date, and I am authorised by his Excellency to state that he readily meets your Lordship's wishes, and will send instructions to M. Van de Weyer to open negotiations for a new Treaty of Commerce between Great Britain and Belgium.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 10.

Lord *Wodehouse* to Mr. *Booth.*

Foreign Office,
Sir, 24 June 1861.

WITH reference to previous correspondence, I am directed by Lord John Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a Despatch from Her Majesty's Minister at Brussels, explaining the impediments which exist to the immediate extension to Great Britain of the provisions of the Commercial Treaty lately concluded between Belgium and France.

I am, &c.
(signed) *Wodehouse.*

Enclosure in No. 10.

(Extract.)

Lord *Howard de Walden* to Lord *J. Russell.*

Brussels, 21 June 1861.

I HAVE the honour to acknowledge your Lordship's despatch of the 18th instant.

Although the delay which must occur in extending to Great Britain the provisions of the Treaty between Belgium and France is very much to be regretted, and must be prejudicial to British commerce and competition with that of France, yet the principal causes were not dependent upon the Belgian Government.

The great delays which took place in the negotiation of the Treaty with France originated in fresh demands brought forward by the French Plenipotentiary consecutively, and in each instance unexpectedly; 1st, in regard to sugar; and 2d, in regard to spirits. The consequence was, that the new treaty was not concluded in time to replace the existing one on its expiration,

App. No. 6.

and a prolongation of the latter had to be the subject of a special law, while the advanced period of the Session barely admitted of the consideration and adoption of the new Treaty.

The prorogation of the Chamber did not depend upon the Government, for the dissolution of half of the Chamber of Representatives being fixed by the constitution in anticipation, those members whose seats were to be vacated had to leave Brussels even before the Senate had accepted the project of the law sent up to them for the adoption of the French Treaty.

No. 11.

Sir *J. Emerson Tennent* to Lord *Wodehouse*.

Office of Committee of
Privy Council for Trade, Whitehall,
My Lord, 1 July 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 24th ultimo, transmitting for their information, by direction of Lord John Russell, a copy of a despatch from Her Majesty's Minister at Brussels, explanatory of the impediments which exist to the immediate extension to this country of the provisions of the Commercial Treaty recently concluded between Belgium and France.

It appears from this despatch, that while the Belgian tariff of customs duties annexed to that treaty, a great part of which is already in force, will be in full execution as regards French produce and manufactures on the 1st October next, the question of extending its provisions to British productions cannot be brought before the Belgian Chambers until after their meeting in November.

My Lords have received this intelligence with much surprise and disappointment, and I am to request that you will state to Lord John Russell, that the reasons for this delay contained in Lord Howard de Walden's despatch appears to them to be in the highest degree unsatisfactory.

It is unnecessary to revert to the paramount claim of Great Britain to the fullest measure of commercial concessions made by Belgium to any foreign country. This claim, which, indeed, has never been disputed by the Belgian Government, but, on the contrary, admitted as often as it has been advanced, has been of the strongest kind for years, but since the Customs Act of 1860, under which all articles of Belgian production, with one or two trifling exceptions, are admitted duty free into the United Kingdom, it has acquired a degree of urgency which renders the continuance of preferential duties against British manufactures wholly indefensible.

It is equally unnecessary to recall to Lord John Russell's recollection the repeated occasions (recapitulated in detail, in the letter from this Board of the 11th January last) upon which Her Majesty's Government has received from the Government of Belgium the most distinct and positive assurance, that upon the expiration of the late treaty between that country and France, no new concession whatever would be accorded to the latter, which would not be equally extended to the United Kingdom.

It will be sufficient to remind his Lordship, that so late as January last, in consequence of representations which were made to the Foreign Office by the Bradford Chamber of Commerce, Lord Howard de Walden, in pursuance of his instructions, inquired of the Belgian Minister for Foreign Affairs whether there was any foundation for the apprehension of the Chamber, that French woollen and worsted goods would be admitted at preferential duties of from 15 per cent. to 20 per cent. *ad valorem*, while similar British manufactures would remain liable to the present duties, varying from 32½ to 37½ per cent. *ad valorem*, and reported his reply in the following terms:—

"That there was not the slightest intention on the part of the Belgian Government to make any such distinction, and, moreover, that no concession whatever, in regard to duties, would be made in regard to manufactures of France, which were not equally extended to those of Great Britain."

In his despatch of the 7th January last, Lord Howard de Walden reports at greater length conversations with M. de Vrière to the same effect, and concludes by recording that Minister's assurance, "that it was not the intention of the Belgian Government to grant in any future treaty preferential treatment to French imports to the prejudice of those of Great Britain." Lord Howard de Walden adds, that he had no reason to doubt the sincerity of this assurance, and that he is at a loss to conceive from what authority the Chamber of Commerce at Bradford had derived the information which had excited their apprehension.

Upon the faith of these repeated and unequivocal assurances on the part of the Belgian Government, supported as they have been by the expression of confidence in their sincerity by Lord Howard de Walden, my Lords have never doubted, that whenever the new tariff for French produce and manufactures was brought into force in Belgium, it would be made simultaneously applicable to those of the United Kingdom, and they were confirmed in their expectation by the statement contained in Lord Howard de Walden's despatch of the 21st of May, enclosed in Mr. Hammond's letter of the 27th of same month, that the Belgian Minister at this Court had received instructions to open the negotiation of a new Treaty of Commerce between this country and Belgium.

Whatever may be the ulterior intentions of the Belgian Government, it appears to them that the decision announced in the present despatch is in direct violation of the promises which have been so often given to Her Majesty's Government, and cannot fail to operate in the most injurious manner upon British interests.

They fear that after the warning which was conveyed to Her Majesty's Government by the Bradford Chamber of Commerce in November last, the present result will be received with the greatest dissatisfaction by that body, and by the whole commercial and manufacturing interest of the United Kingdom, who has been watching with much anxiety the progress of recent negotiations.

The disabilities under which British trade has so long laboured in Belgium, and against which British manufacturers have so often and so justly protested, will be prolonged in an aggravated form for an indefinite period, and when at some future day the Belgian Government feels itself compelled to adopt a measure of tardy justice to this country, our manufacturers will find the markets of Belgium forestalled, and occupied by the established connections of their French competitors.

My

My Lords fear that, serious as the result to British interests must be of this evasion of a positive understanding by the Belgian Government, the prorogation of the Belgian Chambers has deprived Her Majesty's Government of any hope of immediate redress, and they cannot but regret that earlier information of the proceedings of the Belgian Government did not reach Her Majesty's Government.

They think, however, that no time should be lost in instructing Her Majesty's Minister at Brussels to express the views of Her Majesty's Government to the Government of Belgium upon this subject, in the strongest manner, and to enter their protest against the course which has been pursued.

They further think that he should be instructed to press for the immediate commencement of the negotiation of an amended Treaty of Commerce between Belgium and Great Britain, so that upon the re-assembling of the Chambers no time may be lost in bringing its provisions into execution at the earliest possible moment.

In the event of the Belgian Government not acceding to this proposal, my Lords would suggest that steps should be taken without further delay to denounce the Treaty of 1851, as recommended in their letter of the 11th January last.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 12.

(Confidential.)

Lord *Wodehouse* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 10 July 1861.

With reference to your letter of the 1st instant, I am directed by Lord John Russell to enclose, for the confidential information of the Lords of the Committee of Privy Council for Trade, a copy of a despatch which his Lordship has addressed to Lord Howard de Walden, respecting the delay on the part of the Belgian Government in extending to this country the provisions of the Commercial Treaty recently concluded between France and Belgium.

I am, &c.
(signed) *Wodehouse.*

Enclosure in No. 12.

Lord *J. Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 8 July 1861.

Her Majesty's Government have had under their serious consideration your Lordship's despatch of the 21st ultimo, stating that while the tariff annexed to the recent Treaty between France and Belgium (a great part of which is already in force) will be in full execution as regards French produce and manufactures on the 1st of October next, the question of extending that tariff to British productions cannot be brought before the Belgian Chambers until after their meeting in November; and I have to instruct your Lordship to state to the Belgian Government, that Her Majesty's Government consider their conduct in this matter as very unfriendly to Great Britain. In bringing before the Chambers the French Treaty, Her Majesty's Government might have expected them to have asked for powers to grant equal terms to Great Britain. You will explain to the Belgian Government, that unless you receive from them positive assurances that they will fulfil the repeated promises they have given, and conclude a Treaty of Commerce upon just and equal terms without further injurious delay, Her Majesty's Government will feel themselves, however reluctantly, obliged to give the necessary formal notice for the termination in 12 months of the Treaty of 27th October 1851 between Great Britain and Belgium.

I enclose a copy of a letter* on this subject, which I have received from the Lords of the Committee of Privy Council for Trade; and I have to desire that your Lordship will give a copy of this letter to the Belgian Minister for Foreign Affairs, together with a copy of this despatch.

I am, &c.
(signed) *J. Russell.*

No. 13.

Lord *Wodehouse* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 13 July 1861.

With reference to my letter of the 10th instant, I am directed by Lord John Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a despatch from Her Majesty's Minister at Brussels, reporting a conversation he has had with Baron de Vrière on the delay in extending to Great Britain the commercial concessions accorded to France.

I am, &c.
(signed) *Wodehouse.*

Enclosure in No. 13.

Lord *Howard de Walden* to Lord *J. Russell.*

My Lord, Brussels, 12 July 1861.

As instructed by your Lordship, I communicated to Baron de Vrière yesterday your Lordships despatch of the 8th instant, and its enclosure, leaving copies with his Excellency; and I called his serious attention to the fact of French commerce enjoying at this moment great advantages over that of Great Britain under the new Treaty, a result which was practically at variance with the expectations I had been authorised to hold out to Her Majesty's Government.

Baron de Vrière admitted this to be so temporarily, but remarked that it was caused by unforeseen circumstances; that if the Treaty with France had been concluded early in the Session, as had been intended and expected, the Government would have at once followed it up by the contemplated Treaty with Great Britain; but that the Belgian Government was as much subject to the control of the Chambers as the British Government was of Parliament; that the inevitable dissolution of half of the Chamber of Representatives

* *See* No. 12. Sir J. Emerson Tennent to Lord Wodehouse.

App. No. 6.

tatives, at the epoch fixed by the Constitution, rendered it impossible to lay a Treaty with Great Britain, placing her commerce on the same footing with that of France, before the Chamber of Representatives, as it was actually dispersed previous to the adoption of the French Treaty by the Senate.

He contested there being any valid grounds, from anything which had passed, to justify the mistrust manifested in the letters from the Board of Trade, considering that it was the Parliamentary obstacle, self-manifest, which had caused the present delay, which he much regretted. Baron de Vrière added that it was not, however, worth while now to discuss these points of pending distrust, as they would be answered at once by the instructions to M. Van de Weyer to proceed with the negotiations for the treaty with Great Britain, which were actually prepared, were now before the King only awaiting his Majesty's sanction, and would probably be forwarded in a couple of days.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 14.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 22 August 1861.

I AM directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copies of correspondence, as noted in the margin, bearing on the questions pending regarding a Commercial Treaty with Belgium.

I have, &c.
(signed) *A. H. Layard.*

Enclosure 1, in No. 14.

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 18 August 1861.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 58, of the 6th instant, communicating to me the particulars of the conference held by your Lordship, the President of the Board of Trade, and M. Van de Weyer, on the subject of the proposed Commercial Treaty between Great Britain and Belgium, and in which you instruct me to seek an opportunity of expressing the sentiments of Her Majesty's Government on the character of the propositions brought forward by M. Van de Weyer.

Baron de Vrière being absent from Brussels, I have thought it right to lose no time in communicating in writing to his Excellency the extract from your Lordship's despatch, which conveys the feelings of Her Majesty's Government on this subject.

With reference to the three heads which your Lordship recapitulates as constituting the basis of negotiations, I beg to submit the following remarks:

1st. The subject of "equivalents" to be given to Belgium has never on any occasion appeared to be contemplated by Baron de Vrière.

He has expressed a desire to obtain some concessions advantageous to Belgium; but when I have remarked that almost all their produce and manufactures were admitted free; that there were no reductions remaining to be made in our tariff, and asked what he alluded to, he never persevered.

On one occasion he alluded incidentally to the proposed new duties on chicory, in regard to which he intimated a hope that some modification might be made on behalf of that article, the produce of Belgium; but on my explaining my belief that the customs duty would be only equivalent to the excise duty to be levied on British chicory, he at once replied that if such were the case there was nothing to be said.

I am under the impression that when the present treaty was signed it was understood that Her Majesty's Government had no power, during the existence of the charter of the East India Company, to place Belgian vessels on the same footing as British vessels in East Indian ports.

This impression would account for the proposition to define clearly the right of Belgium to trade with the British colonies and possessions.

With regard to the proposed indemnity for non-imposition of tolls on the navigation of the Scheldt, I believe the object to be to lay the grounds for the capitalization of the Scheldt duties levied by Holland on vessels mounting that river to Antwerp.

The Belgian Government, with a view to the special benefit of Antwerp, in competition with Rotterdam, assumed the charge of reimbursing to vessels trading with that port the amount of duties levied at the mouth of the river by the Dutch.

Vicomte Vilain XIV., when Minister, decided to put an end to this charge upon the State.

In new treaties he concluded with foreign powers the right to this reimbursement was omitted, and in regard to the Sound and Stade dues, the payment of the Scheldt duties was made a set-off against the share allotted to Belgium in the amount of the capitalization awarded for the abolition of these tolls.

Baron de Vrière is anxious that the Treaty to be concluded with Great Britain should be of a more extended character than one merely admitting British trade on the same footing as that accorded in the Treaty to France; and if this could be effected it would no doubt be of some importance to the Government in meeting the opposition to which they will be exposed in the Chambers from those who will make "protection of national industry" an interested as well as a party cry.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2 in No. 14.

Lord *Howard de Walden* to Earl *Russell.*

Brussels,
My Lord, 14 August 1861.

I REPORTED to your Lordship in my despatch of the 17th May, the supposed intention of the Opposition to move as an amendment to the project of law for the adoption of the Commercial Treaty concluded between Belgium and France, a resolution to the purport that the provisions of the

the said Treaty should not be extended to Great Britain.

The indisposition of many members of that party to such an unusual step caused the abandonment of this course of proceeding in the Chamber of Representatives, but the anti-free traders of the clerical party nevertheless at once commenced agitation, and they have turned to account the protectionist spirit of a fraction of the liberal party manifested during the late elections at Ghent.

A great meeting was accordingly called at Ghent, where several seats had been lost to the Government at the late elections, with a view to such a manifestation as might exercise serious pressure upon the policy of Government.

The moment when such influence as is attempted might be brought to bear with any effect upon the Government, viz., that of pending elections, having gone by what has since passed (which is, in fact, merely the echo of the election cry), is not likely to have any weight in regard to the actual negotiations with Great Britain.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 3, in No. 14.

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 19 August 1861.

WITH reference to the observations contained in your Despatch No. 143 of the 8th instant, upon the subject of the proposed new Treaty with Belgium, I have to state to you, as regards the question of the position of Belgium vessels trading to our ports in the East Indies, that if there is any trade to which other foreign vessels are admitted by this country, and to which Belgians are not, Her Majesty's Government will at once concede that trade to Belgium.

Chicory is subjected to excise in this country equivalent to customs' duties, but, if any irregularity exists in this respect, Her Majesty's Government will readily listen to representations from Belgium.

But Her Majesty's Government will not capitalise the sums paid for the Scheldt Dues. If the Belgian Government, by no longer charging themselves with the payment of the Dutch Scheldt Dues, throw that payment upon the ships trading with Antwerp, and thus give an advantage to Rotterdam over Antwerp, that is a question which concerns Belgian trade and Belgian consumers more than it does British merchants and manufacturers. Her Majesty's Government will in this matter abide strictly by existing treaties.

The Belgian Government would do well to instruct M. Van de Weyer to sign a treaty containing only the most favoured nation clause. If they do so they will be entitled to all the benefits of the French Treaty so long as that treaty endures. If they decline to do so, a feeling may spring up in this country which Her Majesty's Government would regret, as respects the commercial policy of Belgium.

The delegates of the various Chambers of Commerce and mercantile bodies of the kingdom have represented to me that they do not pretend to criticise the commercial policy of a nation which declares for the principles of protection; but that if a country adopt low duties as regards French produce and manufactures, and high duties as regards British produce and manufactures, they cannot but conclude that the commercial policy of that country is based on views unfriendly to the prosperity of Great Britain. They added that they saw no reason to expect from Belgium anything unfriendly, as our conduct to Belgium had always been of the most amicable character, and was fitted to unite the two nations in bonds of friendly intercourse.

I am, &c.
(signed) *Russell.*

No. 15.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 6 September 1861.

WITH reference to my letter of the 22d ultimo, I am directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, copy of two despatches* from Her Majesty's Minister at Brussels respecting the pending Commercial Treaty between Great Britain and Belgium.

I have, &c.
(signed) *A. H. Layard.*

Enclosure in No. 15.

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 31 August 1861.

I AM confident that mere commercial considerations have no weight with the Belgian Government in delaying the negotiations of the proposed Treaty with Great Britain.

In all my conversations with Baron de Vrière, his Excellency has invariably treated the principle of British trade being entitled to be placed on the same footing as that of France as unquestionable.

The opposition that was raised at Ghent as against the extension to British commerce of the concessions made to France, was more unexpected than if it had been directed exclusively against the treaty itself with France. This has occasioned a political complication which requires to be treated with tact.

The cry for protection, or "due consideration for natural industry," on the part of manufacturers, who are mostly liberals and friends of the Government, when supported politically by the clerical party is embarrassing.

Many of these manufacturers profess to be free-traders in principle, and are, by way of reserving only as exceptions the application to their own branches of industry, but practically they are general enemies, being ready to barter the abandonment of their opinions in regard to others, on the condition of concerted action in reciprocal support of their mutual interests.

The

* The second despatch is not printed. It contains a newspaper article.

App. No. 6.

The same spirit is believed to have prevailed on the part of some of the candidates at the late elections at Ghent, who (with a view to their seats) are supposed to have accepted, though unwillingly, the condition, opposed by a majority of the electors, of opposing the extension to Great Britain of the provisions of the late new treaty with France.

The consideration that they are actually in enjoyment of all the benefits conferred by the British tariff as well as of the protection still afforded under the Belgian tariff against the competition of British manufacturers, renders the protectionists bold in their opposition; no appeal to justice or fairness of our claim is admitted; they contend that all reductions in our tariff were conceived exclusively in the spirit of national interests, and that although they have no doubt they told advantageously on Belgium exports, this constitutes no claim on Belgium for any sacrifice, as in return they maintain that if they had not suited us, no such concession would have been made, and that Belgium after all only enjoys what has been granted to all the world.

The tendency, however, towards free-trade principles has made such progress that the opponents to the proposed treaty are sensible they are going against the feelings of the enlightened classes, and that in a struggle between the retention or abandonment of high duties, the issue could not be doubtful. For this reason they have adopted, as the delusive and convenient course for those who allow their own interests, industrial as well as political, to override their principles, the cry for "time to be allowed to test the action of the new Tariff on French imports on Belgian industry before it is extended to Great Britain." Under these circumstances the Government has to guard against the accusation of precipitancy, and to accept and go through the form of considering the representations which are laid before them, though they may in fact be convinced beforehand of the utter worthlessness of the evidence adduced in support of them.

It is, however, the opinion of some fair and moderate persons that although the great establishments in this country are well able to compete in the home market with French or English imports at the new duties, yet that many small manufacturers (particularly in the cotton business about Ghent) may be injuriously affected if exposed to a struggle against the produce of the superior mechanical advantages and experience of British establishments.

At present, under the existing scale of duties, the heads of great industrial establishments appear to be making large fortunes, and this evidently at the cost of the public; that the lowering of the rates of protection must reduce their great profits is obvious; but if it be true that some small establishments would be sensibly affected by the lowering of protection against British imports, while the greater ones can well sustain competition with them, it must be clear that working at disadvantage against their own great manufacturers, the smaller ones must succumb at last, even to the superiority of national rivals, and that it is a false policy to foster a few inefficient establishments at the expense of extorting from the public enormous profits for the great ones.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 16.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 18 September 1861.

WITH reference to my letter of the 6th instant, I am directed by Lord Russell to enclose, for the information of the Lords of the Committee of Privy Council for Trade, copies of a further correspondence with Her Majesty's Minister at Brussels respecting the pending negotiations for a new treaty with Belgium.

I have, &c.
(signed) *A. H. Layard.*

Enclosure 1, in No. 16.

Lord *Howard de Walden* to Earl *Russell.*

Brussels,
My Lord, 3 September 1861.

I HAVE the honour to inclose a copy of a note which I have received from Baron de Vrière.

I had a conversation with his Excellency today on the subject of the remarks in your despatches, when he again renewed the declaration of perfect good faith with which he was animated in regard to the pending negotiations; but he added that he claimed fair consideration for the difficulties against which the Government had to contend in meeting the opposition which was excited on the grounds of alarm at the overwhelming competition to which Belgian industry might be exposed.

I then discussed with him the groundlessness of such apprehensions, and mentioned the declarations which had appeared in the public newspapers, and the substance of information which I had received from Ghent, that Belgian manufactures were sold in England, Holland, and elsewhere, actually at lower rates than were exacted for them in the home market.

Baron de Vrière admitted this to be a fact, but he explained it by saying that this took place only occasionally, and that it was the result of warehouses being overstocked, and of distress rather than prosperity; that this was often the case in England, and that it was this very circumstance which afforded the Belgian manufacturers some plausible grounds for their representations.

He said that he was satisfied that under ordinary circumstances the industry of Belgium in general could, under the proposed moderate duties, enter into competition with that of England, but that what might be apprehended, particularly in regard to cotton, was the glutting the market at moments of industrial crises with produce disposed of at unremunerative prices.

He stated to me that he knew, himself personally, that at Ghent some cotton goods were at this time to be sold at the price the thread alone had cost.

He further instanced a special cause for apprehension on the part of the cotton manufacturers as a possible eventuality, namely, the great fall in the price of cotton on the settlement of the American civil war, and the consequent inundation of Belgium by English goods made subsequently from cotton bought at lower prices before the

the stock in hand, the produce of the present high-priced cotton had been disposed of.

I remarked to the Baron that the apprehension of cheap cotton was really chimerical; that it was notorious that the best informed and most interested parties were not only alarmed at the prospect of high prices, but at the probability of the utter insufficiency of supply for some years to come. That let the war in the United States terminate as favourably as possible for the South, the slave power must be infinitely reduced, and therefore the production of cotton lessened; that as yet all the undertakings elsewhere for the promotion of cotton cultivation had been on a very limited and only experimental scale, and therefore years must elapse, under the most favourable circumstances, before any sudden cheapness of cotton could possibly occur.

His Excellency said he mentioned these circumstances not as arguments against the proposed treaty, but as explanations of the opposition and of the genuine fears the Government had to contend with.

Baron de Vrière then alluded to your Lordship's desire that the extension to Great Britain of the tariff of the new treaty with France should be made under a simple declaratory article to that effect; he expressed his conviction that such a treaty would not be accepted by the Chambers; that it was for this reason he was anxious to connect the concession with other matters important to the commercial interests, such as the opening of the navigation of the Scheldt; that in proposing the capitalization of the Scheldt tolls levied by Holland, he had intended to combine with it the suppression of the tonnage and other dues levied by Belgium; that no country would benefit more than Great Britain by such a measure, as two-thirds of the navigation which frequented the port of Antwerp were British.

Baron de Vrière also mentioned that in regard to the general admission of British manufacturers on the same footing as those in France, that there were some exceptions, trifling to British interests, but of highest local importance to Belgium, which it is desired to make, to the purport of delaying for two or three years the application of the low duties to two qualities of thread and to certain mixed manufactures (of which the basis is cotton), which afford employment to a great number of hand looms in Flanders, and constitute an industry specially affecting the poorer classes in those provinces. The duties in question on the threads were indeed conceded entirely by an oversight of the Belgian P. P. On all these subjects, however, full instructions and information will be furnished to M. Van de Weyer.

On my referring to the comparative scale of duties to which Belgian goods and produce were subjected respectively in Great Britain and in France, the Baron entirely admitted the superior liberality of Great Britain, though remarking that France was a most important customer as receiving so much Belgian manufacture, while we took principally produce and raw material.

I was sorry to observe that Baron de Vrière seemed much more alive than heretofore to the opposition which is getting up against the treaty with England among the manufacturers, though sensible that the claims of the consumers must ultimately be satisfied, and that it is for the interest of the country to establish free trade (although the transition may be attended with temporary embarrassments), with a view to the opening of markets throughout the world for Belgian industry.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2 in No. 16.

Baron *De Vrière* to Lord *Howard de Walden.*

Bruxelles,
My Lord, le 3 Septembre 1861.

A LA suite des communications que vous m'avez faites vers le milieu du mois dernier, j'ai addressé à M. Van de Weyer deux dépêches dont il a, d'après mes instructions, donné lecture au Principal Sercétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères.

Il a ensuite été convenu dans une conférence entre Lord Russell, Mr. Milner Gibson, et le Ministre du Roi, que celui-ci communiquerait l'ensemble des propositions Belges au Foreign Office.

M. Van de Weyer a eu l'honneur de voir Lord Russell Lundi dernier, et de lui annoncer qu'il était muni de tout ce qui était nécessaire pour entrer immédiatement en négociations. Sa Seigneurie ayant répondu qu'elle allait passer quelque temps en Ecosse, il a été entendu que la remise des propositions n'aura lieu qu'à son retour.

Telle est aujourd' hui la situation des choses. Je ne puis donc, en remerciant votre Excellence de sa lettre du 27 Août, que me référer aux communications que M. Van de Weyer est déjà chargé de faire au Gouvernement de Sa Majesté Britannique.

Je serais néanmoins à la disposition de votre Excellence toutes les fois qu'elle jugera utile de m'entretenir de ces questions, et je la prie, &c.

(signé) *De Vrière.*

Enclosure 3, in No. 16.

(No. 63.)

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 16 September 1861.

BEFORE I left London I had a conversation of considerable length with M. Van de Weyer, who called on me by appointment at the Foreign Office.

He began by saying that your Lordship had misapprehended M. de Vrière, if you supposed that he had ever offered to give to Great Britain the advantages of the French Treaty without equivalents; that the Belgian Government would be quite ready to grant to Great Britain the advantages of the most favoured nation, if Great Britain would—

1st. Redeem the tolls of the Scheldt paid by Belgium on behalf of British shipping.
2d. Reduce the duties on chicory.
3d. Place Belgium on a better footing than she now is in regard to the trade with India.

I said that we objected altogether to the principle of granting equivalents. If Belgium chose to place high duties on the manufactures of France, let her do so, and Great Britain would conform to the same tariff; but if French manu-

App. No. 6.

factured goods were admitted at a low duty, and British goods of the same kind at a high duty, such a difference could only be attributed to an unfriendly spirit.

That, in regard to Belgian manufactures, they were admitted here either at a very low duty or free of duty altogether.

M. Van de Weyer rejoined that we had made these reductions in the course of our free-trade policy, and that we could not raise the duties on Belgian manufactures without departing from our principles.

I said that it would be very hard that, because we gave the benefits of our free-trade policy to all the world, we should be punished for our liberality by narrow restrictions and arbitrary exclusions.

With reference to the Scheldt, I said it seemed to be a question rather between Antwerp and Rotterdam than between Antwerp and London. That if Belgium were to burthen British shipping in the Scheldt with tolls, she would in the same degree discourage Antwerp in favour of Rotterdam.

I had read the article in the "Observateur," and was struck with the force of its reasoning, and the value of its facts. Protection in reality meant favouring one part of the members of the State against all other parts; the monopoly price of cotton cloth, for instance, which was a benefit to the wealthy manufacturers of Ghent, was an injury to the retail dealer whose business was restricted, and to the consumer in the country who had to raise a larger quantity of corn or other produce to obtain the goods he wanted, and was thus made to swell unduly the fortunes of the Ghent manufacturers.

In opposing these partial and interested monopolists, the Government of Belgium would confer a benefit on their own people, and conciliate the goodwill of a friendly nation.

Finding we made no impression on each other, M. Van de Weyer promised to report my arguments to his Government, and we agreed to postpone till October our further conferences.

I have now to impress upon your Lordship the importance of this question to Belgium as well as to Great Britain.

The singular partiality which would deny to Great Britain advantages already granted by treaty to France, appears to Her Majesty's Government opposed to all those views of policy which ought to regulate the policy of Belgium.

I am, &c.
(signed) *Russell.*

P. S.—I hope you may be able to convince M. de Vrière that he ought to negotiate in a different spirit. If he is not prepared to do so, I see little use in any further conferences.

Enclosure 4 in No. 16.

(No. 64.)

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 16 September 1861.

I HAVE received your Lordship's Despatch of the 3d instant, in which you report a conversation which you have had with Baron de Vrière respecting the negotiation of a commercial treaty with Belgium.

You will have learnt by my despatch of the 16th instant, why it was, that in the absence of Mr. Milner Gibson, I did not pursue the negotiation with M. Van de Weyer. Her Majesty's Government have no other request to make than to be treated on an equal footing with France; and Great Britain has already made to all the world, Belgium included, the most ample concessions in regard to foreign manufactures.

I am sorry to observe that M. Van de Weyer goes on repeating the old fallacy of the mercantile school, when he says that France takes manufactured goods, while Great Britain takes principally produce and raw material. The produce and raw material sent by Belgium to Great Britain employ the industry of the agricultural classes, as manufactures employ the manufacturing classes; and it would be a great mistake in Belgium to discourage her agriculture, with a view to favour her manufactures, and to impoverish her farmers and labourers in order to pamper her manufacturers and artizans.

I am, &c.
(signed) *Russell.*

No. 17.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 24 September 1861.

WITH reference to my letter of the 18th instant, I am directed by Lord Russell to enclose, to be laid before the Lords of the Committee of Privy Council for Trade, copies of two despatches* from Her Majesty's Minister at Brussels, upon the subject of the commercial questions in dispute between Her Majesty's Government and that of Belgium.

I have, &c.
(signed) *A. H. Layard.*

Enclosure in No. 17.

(No. 160.)

Lord *Howard de Walden* to Earl *Russell.*

Brussels,
My Lord, 23 September 1861.

I HAVE to acknowledge the receipt of your Lordship's despatches; I believe Baron de Vrière to be fully alive to the general force of your Lordship's remarks, as applicable to the relations of commerce between Great Britain and Belgium.

With respect to the question of chicory duties, no stand is likely to be made on this point, the explanation I gave to his Excellency, as to the character of the excise tax, removed the false impression under which he had laboured, as to the custom-house duty being of a protective nature, though he expressed his regret that the heavy amount of the rate imposed should be such as to affect the interests of the Belgian chicory cultivators for export.

In regard to the trade with India, his Excellency seemed to consider the statement made by your Lordship to be sufficient.

As

* The second Despatch is not printed.

As to the Scheldt tolls, Baron de Vrière stated to me, that the proposed capitalization was not to be considered in principle as an equivalent for the admission of British produce and manufactures upon the same footing as those of France, that it would have to be judged by its own merits; that full information and instructions such as he hoped would satisfy your Lordship of the great importance to the commercial interests of both countries of his propositions, had been sent to M. Van de Weyer.

He remarked that the principle of such capitalization had been recognised, in regard to the Sound and Stade tolls, that both Denmark and Hanover had practically adopted it in regard to the Scheldt tolls in question, and that, in now bringing it forward, he was influenced by the importance of annexing such an arrangement to the new Commercial Treaty with Great Britain, as a combination which would be extending benefits to both countries, and would be sensibly appreciated by the mercantile world, and thus render the application of the tariff of the French Treaty less difficult, by modifying the opposition to it, by deputies representing industrial constituencies liable to be affected by it.

It is not the spirit of the Government, but the state of party which renders the negotiation of a treaty, such as might be accepted by the Chambers, a matter for anxious consideration.

It is true the general arguments on principles of fairness, and even of general interests, are on the side of the Government, but your Lordship is sensible to what an extent at times electoral interests outweigh personal opinions, and when, as in the present instance, the tactics adopted are not immediately objectionable in principle, the opposition being ostensibly temporary and cloaked profession of only due consideration for existing industrial establishments in the transition from protection to competition, it becomes very difficult for the Government to calculate with confidence on the support of a majority in the Chambers.

If nothing new whatever be conceded by Her Majesty's Government on the one hand, and no withdrawal of existing advantages which Belgium enjoys in common with other foreign countries is to be apprehended on the other, there remains but little resource for action on the bias of those who, as I have already remarked, from electoral considerations, might hesitate to stand by the Government in the immediate simple application to Great Britain of the tariff of the French and Belgian Treaty.

At the present moment the protectionists and free-traders are actively at work; and it is to be hoped that the demonstrations of the latter may have their due influence on deputies and their constituencies. Should your Lordship reject the propositions to be laid before you by M. Van de Weyer, I am inclined to expect that the alternative may be resorted to of proposing to delay the reduction of the duties on several heads for some fixed period, though distinctly conceding it in prospective.

This is only an inference on my part; but I have drawn it from the evident extreme anxiety of Baron de Vrière to do something to conciliate the support of some of the unwilling friends of the Government, upon whom the clamour and assertions of the manufacturers have made strong impressions.

The success last year of the beet-root interests, aided by the opposition and by the action of local influence on Liberal deputies, in obtaining the postponement of that feature of the "Town Barrier Duties Abolition Law," viz., the reform of the system of protection applicable to them, and of which the main characteristic and notorious importance consisted in the practices of fraud upon the revenue, and of dishonesty towards foreign consumers, illustrates the precariousness of the support to be relied upon by the Government on questions not actually involving dereliction of principle, when electoral considerations are brought to bear upon deputies.

Since that time the Liberals have lost six seats at Ghent, owing to the tariff of the new treaty with France.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 18.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 28 October 1861.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a despatch from Her Majesty's Minister at Brussels, reporting a conversation he has had with M. Rogier on the subject of the negotiations of a Commercial Treaty between this country and Belgium, and on the question of the redemption of the Scheldt dues.

It would seem from this despatch that the recent change in the Belgian Foreign Office will make no change in the propositions of Belgium on the Commercial Treaty. The propositions of Belgium amount to these two demands, viz.:—

1st. That what is granted to France, in the present month of October, shall not be granted to Great Britain for two or three years; and

2dly. That Great Britain should pay half a million sterling for the redemption of the Schledt tolls, which tolls she has not hitherto paid at all.

Considering that it is not in conformity with the general policy of Great Britain to make commercial treaties involving tariff bargains, Lord Russell is inclined to think that it is not expedient to accept the terms proffered by Belgium, and that we should confine ourselves to a repetition of the offer of the most favoured nation clause.

But before the Cabinet consider the question, I am to state that Lord Russell would be glad to have the opinion of the Board of Trade.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 18.

(Extract.)

Lord *Howard de Walden* to Earl *Russell.*

Brussels, 24 October 1861.

I INQUIRED of M. Rogier to-day whether the details of the ministerial arrangements I mentioned in my despatch of yesterday's date, were to be relied upon as correct, he replied that though he could not say they were definitively settled yet that they were more than probable.

Under these circumstances, I told him that I had

App. No. 6.

had been rendered rather anxious about M. Frere Orban's policy in regard to the Treaty of Commerce now under negotiation between your Lordship, Mr. Milner Gibson, and M. Van de Weyer, owing to an article which had appeared in the "Observateur" (of which I transmitted a copy in my Despatch, No. 167 of the 4th instant), and which had been considered as indicating the tone likely to be assumed on the subject by M. Frere Orban in the ensuing Session.

M. Rogier assured me that this was not the case, that M. Frere Orban, as well as himself, were prepared to go on with the treaty, but he added that it was important in regard to certain classes of threads and of mixed cotton manufactures to render the reduction of duties in some way gradual, and not immediate, with a view to conciliation, and that instructions in that sense had been sent to M. Van de Weyer.

He then alluded to the question of the Scheldt toll, when I told him that your Lordship was not disposed to consider it a matter which could be admitted into a Treaty of Commerce.

M. Rogier explained that it was a subject upon which very strong feeling existed in Belgium, that it was true it was a question involving, as regarded Belgium, national and political perhaps more than commercial considerations, that on this account, if a settlement of the question could be effected simultaneously, it would tend very materially to reconcile parties now disinclined to the immediate application of the tariff of the treaty with France and Great Britain.

He said he entertained the most decided sentiments, as did Belgians in general, as to the unfairness of this tax having been established at all, that in doing so the principle laid down at the Congress of Vienna of promoting the free navigation of rivers had been distinctly violated, that it had not been the restoration of any ancient national rights and privileges sanctioned by long respected usage, such as those under which tolls were levied in the Sound, on the Elbe, and the Danube, and that therefore they were more objectionable; that the origin was novel, that even after the imposition having been allowed by the British and French Grovernments in 1831, they were not actually levied till 1839.

He remarked that although the title with which Holland had been invested to levy this toll was respected, yet that its suppression by negotiation was most desirable; that in this spirit the Belgian Government were prepared on their part to meet Her Majesty's Government more than half-way by the abolition of tonnage, light, and pilotage dues, which exceeded by more than 50 per cent. the amount of the Scheldt tolls paid by British shipping, that it was incontestable the capitalization of the Scheldt tolls, which this Government did not intend to continue to pay to Holland, together with the suppression of the Belgian port dues, would be a very important benefit to British shipping; and that Belgium, in bringing forward this proposition, was only acting on the principles laid down at the Congress of Vienna, and which had been respected and carried out by Her Majesty's Government, as well as by the world in general, in regard to the Sound, the Elbe, and the Danube.

M. Rogier further told me that the subject of this capitalization had been alluded to in a conversation with M. Thuvenel, who did not seem disinclined to entertain the idea.

I took the opportunity of explaining to M. Rogier that Her Majesty's Government did not pretend to interfere with the principles either of free trade or protection, which it may be considered the policy of Belgium to observe, but that when special concessions are made to any power, as if in return for advantages or equivalents granted to Belgian interests which are withheld from British commerce, in face of the greater advantages which are afforded to the same interests under the British tariff, they must be considered as partaking of an unjust and unfriendly character, and must seriously affect the feelings of cordiality and sympathy towards this country on the part of the British public, and which consideration, in a political point of view, should not be lost sight of. M. Rogier replied that he felt this, but that he hoped everything would be arranged satisfactorily.

No. 19.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 12 November 1861.

With reference to the letter from this Department of the 27th of May last and to previous correspondence, I am directed by Earl Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a note from the Belgian Minister at this Court, submitting a draft of a Treaty of Commerce and Navigation between Great Britain and Belgium, to be substituted for that of the 27th October 1851, and for the convention relative to fishery of the 22d March 1852.

The Lords of the Committee will observe that the Belgian Government are desirous that Her Majesty's Government should take part in a plan for the redemption of the Scheldt dues, and that they propose a provisional engagement to that effect, dependent upon a general arrangement for such redemption being made before the 1st January 1863, by the various powers interested.

Detailed information respecting the propositions of the Belgian Government is furnished by their Minister in his note.

I am to request that you will move the Lords of the Committee to take the enclosed papers into consideration, and to favour Lord Russell with their opinion thereon.

The enclosures in M. Van de Weyer's note, being voluminous, are sent in original; and it is requested that they may be returned when no longer required.

I have, &c.
(signed) *A. H. Layard.*

Enclosure in No. 19.

M. *Van de Weyer* to Earl *Russell.*

Londres,
My Lord, le 7 Novembre 1861.

Apres les conférences que j'ai eu l'honneur d'avoir au Foreign Office avec votre Seigneurie et Mr. Milner Gibson, je m'empresse de vous adresser un projet de traité de commerce et de navigation entre

entre la Belgique et la Grande Bretagne (A),* destiné à remplacer tout à la fois le traité du 27 Octobre 1851, et la convention du 22 Mars 1852.

Le projet de traité est accompagné d'une note sommaire (B) qui en explique les principales dispositions.

Cette note se réfère pour ce qui concerne les alcohols, les sucres, les marins déserteurs, et la comparaison du tarif Belge au tarif Français, à quatre autres annexes, que votre Seigneurie trouvera ci-jointes sous les lettres C, D, E, et F.

La proposition relative au rachat du péage établi sur la navigation de l'escaut et de ses embouchures par la section 3 de l'article IX du traité du 19 Avril 1839, proposition sur laquelle j'ai eu l'honneur de donner d'amples explications à votre Seigneurie, fait l'objet d'un memorandum ci-annexé (G) qu'accompagnent des tableaux représentant les perceptions annuelles des péages de l'escaut et du droit de tonnage. Dans ce memorandum l'on expose les considérations qui imposent à la Belgique le devoir d'affranchir l'escaut d'un état de choses qui constitue un véritable anachronisme au dix-neuvième siècle; les principes fondamentaux qui justifient la mesure proposée; les avantages considérables qu'en retirera la Grande Bretagne; et enfin les réformes que la Belgique se propose d'introduire sur les droits de tonnage, de pilotage, et sur les droits de ports perçus par la ville d'Anvers, dès l'instant que le péage de l'escaut sera capitalisé.

Bien que, dans la pensée du Gouvernement du Roi, une connexité absolue doive être établis entre la conclusion du Traité de Commerce et la question de la capitalisation de l'escaut, il propose de consigner les engagements à prendre à cet égard dans un protocole séparé (H), qui serait signé en même temps que le traité. Cette manière de proceder offre des avantages qui n'échapperont point à votre seigneurie, qui acquerra la conviction quà la Grande Bretagne a un intérêt né et actuel à adopter le principe de la capitalisation et à s'assurer les avantages résultant de son application, lors même qu'il ne s'agirait point de conclure un traité de commerce entre les deux pays.

L'ensemble de ces pièces et de mes explications verbales me dispense d'entrer ici en de plus amples détails; mais je me tiens, my Lord, à votre disposition pour les éclaircissements ultérieurs dont ces communications pourraient vous paraître susceptibles.

J'ai, &c.
(signé) *Sylvain Van de Weyer.*

— No. 20. —

Mr. *Booth* to Mr. *Layard.*

Office of Committee of Privy Council for Trade,
Sir, Whitehall, 23 November 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 12th instant, transmitting for their consideration and opinion a copy of a note from the Belgian Minister at this Court, submitting a draft of a treaty of commerce and navigation between Great Britain and Belgium to be substituted for that of October 1851, and for the fisheries convention of the 22d March 1852, and also a plan for the redemption of the Scheldt toll, in which the Belgian Government is desirous that Her Majesty's Government should take part, accompanied by detailed information on these propositions furnished by M. Van de Weyer. App. No. 6.

With reference to this communication, I am to request that you will lay before Lord Russell the following observations :—

The propositions of the Belgian Cabinet consist,—

1. Of concessions which they are prepared to make to the trade and navigation of the United Kingdom.

2. Of the conditions which they attach to such concessions, among which, although not forming a part of the draft treaty, M. Van de Weyer states that the consent of Her Majesty's Government to take a part in the capitalization of the Scheldt toll must be included.

Under the first head, the Belgian Government proposes generally to extend to British trade and navigation "most favoured nation" treatment, which would include the complete assimilation of the British to the Belgian flag, hitherto withheld from the trade in salt from the United Kingdom to Belgium, and all the other provisions of the treaty lately concluded by Belgium with France, with certain reservations as to the date of applying the tariff of import duties to three classes of British Manufacture, viz.:—

1. Cotton twist.

2. Woollen and worsted tissues, with a cotton warp.

3. Cotton prints.

It is unnecessary for my Lords to repeat on this occasion that, led as they had been to expect that the tariff of customs' duties conceded to France, would be simultaneously and completely applied to this country, they consider these reservations, affecting as they do some of the most important branches of British trade as most objectionable; but if Earl Russell is of opinion that the Belgian Government cannot be induced to withdraw them, they could not on this ground alone, considering the great importance to the trade of the United Kingdom generally of securing access to the markets of Belgium on favourable terms, advise his Lordship to decline to entertain this part of the Belgian proposal as a basis for negotiation.

It would, however, in my Lord's opinion, be necessary, before admitting these reservations, to obtain some modification in the terms of Article XXV, as affecting the last classes of manufacture, by which the Belgian Government retain the option of continuing the duty of 150 francs per 100 kilos after January 1864.

In return for these concessions, the Belgian Government requires not only that "most favoured nation" treatment shall be secured to the trade and navigation of Belgium, but also that Her Majesty's Government shall enter into further engagements, some of which are of a novel and important nature.

It is desired that Her Majesty's Government shall, by a protocol to be signed simultaneously with

* The enclosures in these letters are not printed.

App. No. 6.

with the treaty, agree to contribute a sum of money towards the redemption of the Scheldt toll from Holland, by means of capitalization, to be estimated on the average amount received during the 10 years from 1851 to 1860 inclusive, that sum to represent the share borne by British shipping engaged in the navigation of the river during that period.

Upon this proposal I am to observe that, although, as Lord Russell is aware, by section 3 of the IXth Article of the Annex to the treaty of 19th April 1839, between Holland and Belgium and the five powers, on the occasion of the separation of the two former kingdoms, the Scheldt toll is made leviable on the shipping of all nations navigating the Scheldt, it has never in practice been levied upon British shipping, nor, so far as my Lords are aware, upon the shipping of any other nation, Belgium having in the month of June of that year passed a law by which she undertook to repay the amount to foreign shipping, reserving to herself the right of withholding such repayment from the shipping of countries with which treaties of reciprocity were not concluded, and having afterwards concluded treaties with foreign powers, of which Great Britain was one, in which this repayment was guaranteed during their continuance.

It appears, however, that these treaties are now either terminable at the option of either of the contracting parties, or shortly to become so; and my Lords have been unable to discern in the documents and correspondence on this subject which have been under their consideration, either in the form of a treaty engagement, or of an understanding with the powers represented in the conferences which preceded the separation of Holland and Belgium, anything which would prevent Belgium from revoking her law of 1839, and leaving the toll to fall upon all shipping navigating the Scheldt.

Under these circumstances, it may possibly become a future question whether in any redemption of the Scheldt toll to which Holland may be willing to agree, Her Majesty's Government may not find it expedient to co-operate, but it appears to my Lords that the subject is far too complicated and important to allow of its being entertained in connection with the present negotiation, and in any case they think that the practical immunity from this toll of the ships navigating the Scheldt, ever since it was imposed in 1839, renders it extremely difficult to find any basis for its capitalization which could be considered as at all satisfactory. That proposed by Belgium, which is calculated upon the average tonnage engaged in this navigation during the last 10 years, appears to them obviously inadmissible. Firstly, because the amount of such tonnage has been doubtless very much larger than if the toll had been levied; and secondly, because there appears no reason to confine the calculation to the last 10 years of the existence of the toll.

On all accounts, therefore, the question must, in my Lords' opinion (if the case should now arise for entertaining it), be considered on its own independent merits, and must be made the subject of a separate and future negotiation.

By Article XII of the draft treaty under consideration, it is proposed that the shipping of the two countries shall be admitted reciprocally to the coasting trade of their respective states and possessions, on the national footing.

This proposition, although in principle one to which Her Majesty's Government would be quite prepared to assent, is inconsistent with the existing legislation of this country, by which the coasting trade of each separate colony is reserved exclusively to British vessels, except in cases where this trade has been opened by order in Council, upon the application of the colony concerned.

This course has been, as Earl Russell is aware, already adopted by Ceylon, the Cape of Good Hope, Victoria, and St. Lucia, and accordingly the coasting trade of these possessions is at the present time open to the shipping of all nations on national terms. This is equally the case with the coasting trade of British India, which has been open to foreign shipping ever since the year 1850.

Upon this question, I am to request that you will refer Earl Russell to the remarks contained in a letter from this Board, 21st May 1860, transmitting drafts of commercial treaties with Spain and Portugal, and I am to suggest that Article VIII of those drafts should be substituted for the draft articles submitted by M. Van de Weyer in any treaty concluded with the Belgian Government.

By Article XV, the Belgian Government proposes certain modifications in the customs' duties of the United Kingdom upon chicory, hops, spirits, and molasses.

Upon this stipulation, affecting as it does the revenues of this country, my Lords are unable to offer any opinion until they shall have been made acquainted with the views of the Lords Commissioners of Her Majesty's Treasury respecting it.

By Article XVII, it is proposed that British and Belgian fishermen shall be mutually admitted to national privileges and treatment, within the territorial limits of the coasts of the contracting powers.

This stipulation is one which my Lords cannot advise Earl Russell to entertain as a part of the present negotiation. Her Majesty's Government could not assent to such an arrangement without being prepared to reverse the policy by which they have hitherto been guided in the regulation of the coast fisheries of the United Kingdom, a course which my Lords cannot at present recommend.

With reference to Article XXI, in which it is proposed that Her Majesty's Government should engage, not only that deserters from Belgian vessels should be arrested and sent on board the vessels from which they have deserted, as the existing Order in Council provides, but that such deserters should, at the request and expense of the Consul, be committed to prison for a limited period, I am to observe that this would render necessary an amendment of the Foreign Deserters Act, and that any attempt to extend that Act might, as Lord Russell is aware, meet with serious opposition. My Lords are disposed, however, to think such an amendment of the Act desirable if this should be considered a suitable occasion for proposing it to the Legislature.

My Lords have felt that it would be premature on the present occasion to do more than to remark upon the general features of the Belgian proposals, but, if as they hope, the Belgian Government is induced to consent to continue the negotiation in the more limited sense indicated in the foregoing observations, they will be prepared to enter

enter upon a detailed examination of the terms of the articles of the draft treaty which has been submitted by M. Van de Weyer.

I have, &c.
(signed) *James Booth.*

No. 21.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 9 Dec. 1861.

I am directed by Lord John Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a letter* from Messrs. Hamilton, Carr, and Co., of Newcastle, containing statements bearing on the question of a commercial treaty between this country and Belgium.

I am, &c.
(signed) *A. H. Layard.*

No. 22.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 17 Dec. 1861.

With reference to your letter of the 23d ultimo, I am directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a note which his Lordship has addressed to M. Van de Weyer in reply to the propositions made by the Belgian Government as to the negotiation of a commercial treaty with Belgium.

I have, &c.
(signed) *A. H. Layard.*

Enclosure in No. 22.

Earl *Russell* to M. *Van de Weyer.*

Foreign Office,
16 December 1861.

The undersigned, &c. has the honour to acknowledge the receipt of the note which M. Van de Weyer, &c. addressed to him on the 7th ultimo, communicating the draft of a treaty of commerce and navigation between Great Britain and Belgium, which the Belgian Government propose should be substituted for the Treaty of 1851, and the Fisheries Convention of 1852.

It appears that in return for certain concessions which the Belgian Government are prepared to make to the trade and navigation of the United Kingdom, a condition is required, which, although not forming a part of the draft treaty, is put forward as indispensable to its negotiation.

The condition in question is, that Her Majesty's Government should consent to take a part in a scheme for the capitilisation of the Scheldt toll. It is proposed that Her Majesty's Government should, by a protocol, to be signed simultaneously with the treaty agreed to, contribute a sum of money towards the redemption of the Scheldt Toll from the Netherlands, by means of a capitilisation to be estimated on the average amount received during the 10 years from 1851 to 1860 inclusive, from British shipping employed in navigating the river during that period.

On this point the undersigned has to observe that, although according to the IXth Article of the Annex to the Treaty of 19th April 1839, the shipping of all nations navigating the Scheldt is made liable to the toll, it has never in practice been levied on British shipping, nor so far as the undersigned is aware, upon that of any other nation; Belgium having in June 1839 passed a law by which she undertook to repay to foreign shipping the amount of the toll, reserving to herself the right of withholding such repayment from the shipping of countries with which treaties of reciprocity were not concluded, and having afterwards concluded treaties with foreign powers of which Great Britain was one, in which this repayment was guaranteed during the continuance of those treaties.

It appears, however, that these treaties are terminable within a certain time, at the option of either of the contracting parties, and the undersigned is not aware of anything which would prevent Belgium from repealing the law of 1839, and leaving this toll to fall upon all shipping navigating the Scheldt.

The undersigned has, however, to observe, that the practical immunity from the Scheldt toll of the ships navigating the river since it was imposed in 1839, renders it extremely difficult to find any basis for its capitilisation which would be considered as at all satisfactory.

The basis now proposed by Belgium, and which is calculated upon the average tonnage during the last 10 years, appears to be obviously inadmissible: 1st, because the amount of such tonnage has been doubtless very much larger than if the toll had been levied; and, 2dly, because there appears no reason to confine the calculation to the last 10 years of the existence of the toll.

The subject appears, however, to Her Majesty's Government to be far too complicated and important in itself to admit of its being entertained as the Belgian Government propose, in connection with a negotiation of a treaty of commerce, and they are of opinion that it should, if it is to be considered, be weighed on its own independent merits, and made the subject of a separate negotiation.

On these grounds Her Majesty's Government must decline to enter into the question of the capitalisation of the Scheldt duties as proposed by the Belgian Government.

As, however, the IVth Article of the Convention of Navigation lately concluded between Belgium and France, stipulated that "le pavillon Français continuera de jouir en Belgique du remboursement du droit de péage sur l'Escaut tant que le pavillon Belge en jouira lui-même," the undersigned has to state that there appears no reason why Belgium should decline to agree to a like stipulation when negotiating a commercial treaty with this country. Her Majesty's Government might then be free to negotiate with the Government of the Netherlands, to whom the toll is due, as well as with the Belgian Government.

The undersigned has only to add in conclusion that, on the other topics connected with the negotiation of a treaty, of which a draft has been communicated by M. Van de Weyer, Her Majesty's Government are ready to negotiate on the principle that each country should extend to the other

* This Enclosure is not printed.

App. No. 6.

other all the benefits and advantages of the most favoured nation.

The undersigned, &c.

(signed) *Russell.*

No. 23.

Sir *J. Emerson Tennent* to Mr. *Layard.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 27 December 1861.

WITH reference to the concluding paragraph of the note addressed by Earl Russell to M. Van de Weyer, enclosed in your letter of the 17th instant, expressing the readiness of the Government of Her Majesty to negotiate with the Government of Belgium on the topics unconnected with the question of the Scheldt toll, to which the draft treaty submitted by M. Van de Weyer relates, on the principle that each country should extend to the other most favoured nation treatment, I am directed by the Lords of the Committee of Privy Council for Trade, to request that you will call his Lordship's attention to the great injury which will result to British trade from any further delay in the prosecution of such a negotiation.

His Lordship is aware that for years past the special favour extended by Belgian legislation to certain French products and manufactures has been a source of just complaint, and the subject of constant remonstrance on the part of this country.

These complaints and remonstrances have been repeatedly met by the most distinct assurances given by the Belgian Government, that all inequality of treatment between French and British productions should cease and determine on the expiration of the engagements then subsisting between France and Belgium.

Instead of redeeming these assurances, the Belgian Government has recently concluded a commercial treaty with France, by which the special favour granted hitherto to some is extended to all goods of French origin; the whole Belgian tariff having been revised and reduced as regards French produce and manufactures.

The evil, therefore, of which Her Majesty's Government has so long complained is not only prolonged, but most seriously aggravated; and it is impossible not to foresee that the unnaturally small amount of British exports to Belgium will be still further contracted.

Under these circumstances, my Lords hope that Earl Russell will not allow the question raised by the Belgian Government, with respect to the redemption of the Scheldt toll, to be used as the means of delaying still longer the application to British trade of the tariff already given to France; and that the influence of Her Majesty's Government will be exerted to secure this result at the earliest possible moment.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 24.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 26 December 1861.

I AM directed by Lord Russell to transmit t you an extract of a Despatch from Lord Howar de Walden, reporting a conversation wit M. Rogier regarding the answer which Her Ma jesty's Government have returned to the Belgia proposals for the negotiation of a commercia treaty.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 24.

(No. 210.)

Lord *Howard de Walden* to Earl *Russell.*

(Extract.)

Brussels, 21 December 1861.

I HAD yesterday a conversation with M. Rogie on the subject of your Lordship's reply to M. Va de Weyer, on the view which Her Majesty' Government have taken of the proposals latel made by the Belgian Government, of which a cop was transmitted to me in your Lordship's Despatc of the 16th instant.

On my communicating the substance of it, h expressed himself extremely disappointed.

I impressed on M. Rogier that the carrying o the negotiations on the basis of the condition i question, *sine quâ non*, was utter loss of time; tha I had from the first told Baron de Vrière, and ha subsequently invariably repeated to himself, tha Her Majesty's Government would not treat upo the Scheldt tolls, as a condition bearing on th question of a claim for British commerce to b placed on an equality in Belgium with that o France; that the advantages granted under th British tariff to Belgian commerce were greate than those conceded by France, and that it wa quite impossible, under these circumstances, t admit the principle of a purchase of an equalit with France to which the country felt that it wa already so manifestly entitled.

I further remarked that M. Van de Weyer ha stated to your Lordship that I must have mis understood Baron de Vrière, as it had alway been intended that "equivalents" would be re quired from us as the price for the admission o British commerce under the tariff on the sam footing as that of France, whereas, he must b aware that such a pretension had never bee touched upon with me: that Baron de Vrière ha no doubt declared to me his wish that the pro jected treaty with Great Britain should so fa differ from that concluded with France as to be o a wide basis, including some arrangement fo reducing the charges on navigation; that he neve treated such an amplification as an "equivalent," but only as desirable, with a view to overcom reluctance or hesitation, originating in electora considerations on the part of some of their friend to support the treaty in the Chamber of Repre sentatives.

M. Rogier acknowledged that I was right abou the

the principle of "equivalents;" that in fact they applied to the question of the Dutch tolls and the Belgian tonnage and pilotage charge for which the capitalisation would be the "equivalent," but that it was most important, with a view to ensure the acceptance by the Chambers of tariff concessions, that they should be accompanied by a simultaneous arrangement about the Scheldt tolls, on which there existed a strong national feeling; that if the Catholics made a party question of the opposition to it the treaty would be rejected, which would be a very grave affair« that, without making the Scheldt question a condition in principle, it was so important a one with a view to ensure the sanction of the Chambers to the tariff concessions, that he was disposed to meet any wishes of Her Majesty's Government with regard to details, as to the periods of payment of the amount fixed upon representing the capitalisation; and I am disposed to infer that the basis also on which it should be calculated would readily be reconsidered.

With respect to the comparative advantages enjoyed by Belgian commerce in France and Great Britain, under their respective tariffs, M. Rogier noticed that, in point of fact, Belgium was placed in England only on an equality with other nations, whereas, in France she benefited by exceptional preferences; but this argument was disposed of at once, by my reminding him that the exceptional preference enjoyed by Belgium in France was temporary, and that this state of things could last only till new treaties should be concluded by France with other countries, by which they would be placed upon the same footing.

strongly in the sense of the letter from the Board of Trade, of which I gave him an extract as a memorandum, embodying the substance of the representations which had been made to you, and which were adopted by your Lordship, M. Rogier replied that he had nothing to say against the general correctness of the statement; that no one desired more cordially than he did to see the commerce of Great Britain placed on the same footing as that of France; that he perfectly understood the objection of Her Majesty's Government to accept the proposal for the capitalisation of the Scheldt tolls as the condition; that in consequence of our conversation of the 20th ultimo, as reported in my Despatch, No. 210, he had sent instructions to M. Van de Weyer to separate the negotiations, though for political considerations it was of the highest importance that the principle of the capitalisation of the Scheldt tolls should be accepted by protocol, or some formal act, before the Commercial Treaty should be submitted to the Chambers, though the details of the measure, as regards the basis for calculating the amount or periods of payments, say in two or three years, would be readily left to the loyalty of Her Majesty's Government to be treated hereafter.

M. Rogier added that he would be prepared at once to allow to the commerce of all countries adhering to the principle of the capitalisation, the proposed relief in regard to tonnage, pilotage, and port dues.

His Excellency informed me that he had lately received from different countries satisfactory answers to the proposal for capitalisation, in so far as their general tenor was a readiness to follow the course which might be adopted by Her Majesty's Government.

No. 25.

Mr. *Layard* to Mr. *Booth*.

Foreign Office,
Sir 4 January 1861.

WITH reference to your letter of the 27th ultimo, I am directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, an extract of a Despatch from Lord Howard de Walden, reporting the course which the Belgian Government propose to pursue regarding the negotiation of a commercial treaty with this country.

I have, &c.
(signed) *H. Layard.*

Enclosure in No. 25.

(No. 2.)

Lord *Howard de Walden* to Earl *Russell*.

(Extract.)

Brussels, 2 January 1862.

I HAD the honour to receive last night your Lordship's Despatch, No. 86, of the 31st December, transmitting to me a copy of a letter from the Board of Trade, containing remarks on the answer given by your Lordship to the draft treaty presented by M. Van de Weyer.

I have had to-day a conversation with M. Rogier on the subject; when I spoke to him

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No. 26.

Mr. *Layard* to Sir *J. Emerson Tennent*.

Foreign Office,
Sir, 22 January 1862.

WITH reference to my letter of the 4th instant, I am directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a Despatch from Her Majesty's Minister at Brussels, reporting a conversation with M. Rogier on the treaty recently concluded between Belgium and Turkey, together with a copy of a Despatch which Lord Russell has addressed to Lord Howard de Walden relative to the proposed Commercial Treaty with this country.

I am, &c.
(signed) *A. H. Layard.*

Enclosure 1, in No. 26.

(No. 9.)

Lord *Howard de Walden* to Earl *Russell*.

My Lord, Brussels, 14 Jan. 1862.

I HAD a conversation to-day with M. Rogier on the subject of your Lordship's Despatch, No. 3, of the 11th instant. I expressed to him the very unfavourable impression which had been made upon Her Majesty's Government by the Commercial Treaty

App. No. 6.

lately concluded between Belgium and Turkey. I laid the greatest stress upon its character, as almost offensive to Great Britain, when not only the actual concession made to France, but every future advantage whatever which might hereafter be granted to any nation, was to be extended to Turkish commerce without an equivalent, and this in face of a general duty of 8 per cent. levied on Belgian produce and manufacture under the Turkish tariff, while the same were admitted entirely free under the British tariff.

M. Rogier argued that the amount of Turkish imports was not practically a matter of the slightest disadvantage to British commerce; that though true that the provisions of the Belgian French Treaty had been extended to Turkish commerce and navigation, there was every wish that they should be adopted also for Great Britain; that in fact the negotiations were pending, that no principle was in opposition, and that special circumstances alone had rendered it politic to treat simultaneously another question; that he had however already instructed M. Van de Weyer to separate the negotiation for the Scheldt tolls capitalisation from that of the Commercial Treaty, and to guard specially against its assuming the character of a condition for the desired commercial arrangements with Great Britain, and that he would again write to him in the same sense.

I remarked to M. Rogier that the tenor of the Vth and XIXth Articles of the treaty, according to which Turkey would be entitled to every advantage hereafter allowed to the most favoured nation, would obviously interfere with the capitalisation by other nations of the Scheldt tolls; that this right had been conceded without any stipulation (as was usual in treaties of reciprocity), for advantages similar or equivalent to those granted by the other nation; that it was self-evident that even if Her Majesty's Government admitted the principle of capitalisation as a set-off against tonnage, pilotage, and port charges, it was impossible to carry out the realisation of the project, if other countries (as France and Turkey, for instance), were in virtue of existing treaties to be admitted freely to further special advantages, though subsequently distinctly purchased at a heavy price for herself by Great Britain.

M. Rogier acknowledged that this consideration might have weight, had not his overtures to other Governments on the subject of the proposed capitalisation been favourably received; that as regarded Turkey, she had adhered completely to the principle of capitalisation, as had Greece, Portugal, Brazil, and Chili; that the French Government was willing to follow the example of Great Britain; that in Sweden, where at first an indisposition to the capitalisation had been manifested, there also they were disposed to adopt the same course as Great Britain; that Russia was decidedly favourable; that in fact the only positive ill-will which had been manifested has been on the part of Prussia, though he had reason to believe she would not isolate herself from any general measure accepted by other countries. In fact, M. Rogier added, the realisation of this measure, so important in principle to Belgium, and so advantageous to commerce and navigation in general, might be deemed to depend entirely upon the favourable disposition of Her Majesty's Government. M. Rogier then repeated that the basis for calculation of the amount of capitalisation, and the periods of payments were to be made or not, say before two years, the proposed reduction in the Belgian charges should at once be carried into operation.

On my remarking to M. Rogier that the basis proposed for the capitalisation, viz., the average of the last 10 years, was neither satisfactory nor intelligible upon any principle; that for instance an average of the whole term during which the duties had been levied, would be perhaps more obviously the reasonable one, for it must be borne in mind that in fact the relief from the Scheldt tolls afforded under special law, had avowedly for object to promote (at the charge of the country), the development of the trade with Antwerp, and that therefore the increased amount of navigation which had thus unquestionably been brought about, gave an artificial result.

M. Rogier replied, that full latitude would be given to M. Van de Weyer to treat on the question of amount and terms; that what he held to mainly was, the effacing an act of hardship and humiliation which has been made to bear on Belgium, such as was at variance not only with the principles laid down at the Congress of Vienna for the promoting the free navigation of rivers, but even of those of the early French Republic, as applicable to the Scheldt when the navigation of the river had been thrown open to the world.

M. Rogier again declared that he anxiously desired to remove the impression that the capitalisation of the Scheldt tolls was proposed as a "condition" bearing on the spirit of the commercial question; that he wished this matter to be "treated" on its own separate merits, though unquestionably as regards the attitude of the Government towards the Chambers, the prospect of the settlement of the Scheldt question would be of the utmost importance in allaying the opposition of the commercial treaty, to which the Government was exposed.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2, in No. 26.

(No. 7.)

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 20 January 1862.

I HAVE received your Despatch, No. 2, of the 2d instant; and I am sorry to find that the concession of commercial privileges to England, similar to those which have been granted to France, still meets with obstructions.

M. Rogier cannot deny the general correctness of our statement; and he says that no one desires more cordially than he does, that the commerce of Great Britain should be placed on an equal footing with that of France, yet for political considerations, not very intelligible, he still refuses this fair and just proposition.

For in the commercial treaty between France and Belgium, there is an article providing that French ships should be free from the payment of the Scheldt tolls so long as Belgian ships should continue to be so. Great Britain is quite willing to insert a similar article in a commercial treaty with Belgium.

But

But the Belgian Government refuses to grant to Great Britain what Belgium has already granted to France. The Belgian Government says, as your Lordship reports, that for political considerations of the highest importance, whatever they may be, the principle of a capitalisation of the Scheldt tolls must be accepted by protocol or some formal act, before the commercial treaty can be submitted to the Chambers.

It is on account of political considerations of the highest importance, that the British Government must decline to accept this proposition. I will proceed to state to your Lordship what those considerations are: Great Britain has adopted towards all nations the most liberal commercial policy, she has made great sacrifices of revenue in order to diminish greatly or abrogate entirely, duties of customs on foreign commodities. After adopting this large and general scheme, she cannot make fresh sacrifices in order to purchase from each State separately, the advantages which are granted by each State to other nations.

There is probably no State which cannot bring forward some case of a river toll to be capitalised, or, in other words, to be abolished at the cost of the public revenues of Great Britain. Great Britain objects to such a preliminary condition; she objects to it especially as it has not been made an obstacle to the conclusion of a commercial treaty between France and Belgium. She claims therefore for the cottons and hardwares of this country what has been granted to the cottons and hardwares of France.

She does not pretend to say whether the commercial policy of Belgium shall be a policy of protection or free trade. When Belgium adheres to a policy of protection, Great Britain submits to the exclusions such a policy imposes; but when the policy of Belgium is a policy of free trade, she claims the benefit of admission to the markets which are thus opened. To the Belgian consumer, it can only be an advantage to purchase English goods when English goods are cheaper than those of other foreign nations already admitted.

What Great Britain claims, therefore, while it is a concession due to her in principles of justice and national amity, is a benefit to the Belgian consumer.

The manufactures of Belgium are already so improved and so excellent, that the competition of France is freely allowed by a treaty ratified by the Belgian Government, and sanctioned by the Belgian Chambers.

In the name of a friendly Power Her Majesty's Government asks for equal benefits to Great Britain.

I am, &c.
(signed) *Russell.*

No. 27.

Mr. *Murray* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 31 January 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copies of Despatches* which have been received from Her Majesty's Minister at Brussels, respecting the proposed negotiations for a commercial treaty with Belgium, and the capitalisation of the Scheldt dues. I also enclose a copy of a Despatch I have addressed to Lord Howard de Walden.

I have, &c.
(signed) *James Murray.*

Enclosure 1, in No. 27.

Lord *Howard de Walden* to Earl *Russell.*

Brussels,
My Lord, 28 January 1862.

I LEARN from M. Rogier to-day that, in pursuance of his declarations to me, reported in my Despatch of the 14th instant, he had sent instructions to M. Van de Weyer to separate the negotiations in respect to the tariff from those regarding navigation.

He said he admitted that, however important it might be to the Belgian Government that the signature of the Tariff Convention should have been accompanied by some official act, having reference to the Scheldt tolls proposition, he nevertheless was sensible that if assuming the character of a condition bearing on the commercial concessions, it would be objectionable to Her Majesty's Government for this reason, he now proposed that the several navigation questions should be treated separately upon their distinct and respective merits, and that the idea of the simultaneous conclusion of the two treaties should be abandoned.

He then proceeded to explain that he desired that the reduction in tonnage, pilotage, and basin charges should become a general measure, and should include Ostend as well as Antwerp, and he added that the practicability of affording relief to the internal navigation of the country, which had formed the subject of a representation from me (as reported in my Despatch of 5th November 1861), could be taken into consideration at the same time.

M. Rogier further informed me that he had received a satisfactory letter from Mr. Seward, evincing a most favourable disposition towards the proposal for the capitalisation of the Scheldt tolls, though reserving his official declaration on the subject until he should receive an answer to a reference made by him to the United States Minister at the Hague, with a view to ascertain how far the project was agreeable to, or not, to the Netherlands.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2, in No. 27.

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 31 January 1862.

WITH reference to your Lordship's Despatch of the 28th instant, I have to state to you that Her

* The second of these Despatches is not printed.

App. No. 6.

Her Majesty's Government will be ready to negotiate a commercial treaty with Belgium, if the question of the Scheldt dues is kept entirely distinct.

I am, &c.
(signed) *Russell.*

No. 28.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 4 February 1862.

With reference to my letters of the 16th of December last and the 31st ultimo, I am directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a note* from the Belgian Minister at this Court, enclosing projects of the following treaties:—

1. A project of a Treaty of Commerce.*

2. A Treaty of Navigation,* which project includes clauses relating to the navigation of the Scheldt, regarding which subject M. Van de Weyer also encloses a draft* of an additional declaration.

I am to request that you will bring these papers under the consideration of the Board of Trade, and that you will move their Lordships to favour Lord Russell with their views upon the subject.

I am, &c.
(signed) *A. H. Layard.*

P.S.—The enclosed papers which are sent in original, should be returned to this office, with your answer to this letter.

No. 29.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 10 February 1862.

With reference to my letter of the 4th instant, I am directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying papers* bearing on the questions of the proposed treaty with Belgium, and the capitalisation of the Scheldt Tolls.

I am to request that such of these papers as are sent in original may be returned to this office.

I am, &c.
(signed) *E. Hammond.*

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* These Enclosures are not printed.

No. 30.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 10 March 1862.

I am directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a Despatch which his Lordship has addressed to Her Majesty's Minister at Brussels, communicating to him the decision of Her Majesty's Government as to the course which they are prepared to take with reference to the negotiation of a commercial treaty with Belgium, and with reference to the question of the capitalisation of the Scheldt dues.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 30.

(No. 16.)

Earl *Russell* to Lord *Howard de Walden.*

Foreign Office,
My Lord, 10 March 1862.

I informed you in my Despatch, No. 7, of the 21st of January, that Her Majesty's Government declined, for the reasons then alleged, to make the negotiation of a commercial treaty with Belgium in any way dependent upon the capitalisation of the Scheldt dues; and in my Despatch, No. 10, of the 31st January, I told you that Her Majesty's Government were ready to negotiate a commercial treaty, provided that subject were kept entirely distinct.

In further explanation of this last-mentioned Despatch, I have to state to you that Her Majesty's Government wish to negotiate a commercial treaty on the basis of the admission of this country to the same advantages as those which France now enjoys by treaty. They are ready to consider any cases which seem to the Belgian Government to require special modifications of the French treaty.

They desire, however, to come to the consideration of the questions relating to the Scheldt dues quite free from any engagement. They cannot consent to make any condition in relation to the capitalisation of the Scheldt dues before negotiating a commercial treaty.

That subject must remain for future discussion between Her Majesty's Government and that of the King of the Belgians.

I am, &c.
(signed) *Russell.*

No. 31.

Mr. *Murray* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 31 March 1862.

I am directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of

of a Despatch which has been received from Her Majesty's Minister at Brussels, relative to the questions of a commercial treaty with Belgium, and the capitalisation of the Scheldt dues.

I am, &c.
(signed) *James Murray.*

Enclosure in No. 31.

Lord *Howard de Walden* to Earl *Russell.*

(Extract.)

Brussels, 13 March 1862.

I COMMUNICATED to M. Rogier yesterday your Lordship Despatch, No. 16, of the 10th instant. His Excellency expressed strong disappointment at the resolution taken by Her Majesty's Government to postpone all the negotiation on the proposed Treaty of Navigation.

I reminded him that I had always, from my very first interview with him, impressed upon him, as I had endeavoured to do upon his predecessor, Baron de Vrière, that Her Majesty's Government could not on principle admit of the question of capitalisation being treated as a condition of that equality with France, to which they considered British commerce to be entitled in Belgium.

M. Rogier replied, that he must admit that he had at once been sensible that the capitalisation proposition should not have been made as a condition in the commercial treaty; that he had endeavoured to disengage the project from that character; that he had desired that the details of the proposed capitalisation should be treated on its own merits as a navigation question; and be considered in regard, 1st, to the origin of the tolls; 2d, to the terms offered in return; 3d, to the political influence of satisfaction in the national feeling of Belgium which would ensue from the solution of the grievance. He remarked that he did not understand why Her Majesty's Government should object to negotiate a treaty of navigation simultaneously with that of commerce with Belgium; that France was at this moment negotiating three treaties at Berlin, all bearing on each other—one for commercial matters; a second for navigation; and a third for regulating and facilitating railway intercourse between France and Germany. That since the idea of capitalisation had first been mooted, the principle had been acceded to by almost all countries with which Belgium had commercial relations; and he further laid stress upon the last proposition he had made, and which was limited to obtaining the assurance of the good offices of the British Government with other countries in behalf of the principle of the measure, leaving the details for future negotiation.

I recalled his Excellency's attention to the commercial feature of your Lordship's Despatch, and to the declaration of Her Majesty's Government in regard to their readiness "to consider any cases which seem to the Belgian Government to require special modification of the French treaty."

No. 32.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 8 April 1862.

I AM directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copies of correspondence, as noted in the margin, relative to the negotiation of a commercial treaty with Belgium, and the capitalisation of the Scheldt dues.

I have, &c.
(signed) *A. H. Layard.*

Enclosure in No. 32.

Earl *Russell* to M. *Van de Weyer.*

Foreign Office,
M. le Ministre, 7 April 1862.

I THANK you for the communication of the speech of the Belgian Minister for Foreign Affairs contained in the "Moniteur Belge" of the 4th instant.

I am glad to take this opportunity of stating to you the decision of Her Majesty's Government on the important matters we have discussed together.

Her Majesty's Government are ready to negotiate both a treaty of commerce and a treaty of navigation with Belgium. Her Majesty's Government would be ready to consider in the treaty of navigation, or as a separate measure, upon such principles as they may deem to be equitable, any plan for the capitalisation of the Scheldt dues which the Belgian Government might propose.

But Her Majesty's Government cannot consent to allow the concession to Great Britain of privileges equal to those granted to other nations to be in any way dependent on the success of a scheme for the capitalisation of the Scheldt dues.

It has not been so with France, and ought not to be so with England.

I am, &c.
(signed) *Russell.*

No. 33.

Mr. *Hammond* to *Sir J. Emerson Tennent.*

Sir, Foreign Office, 12 April 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copies of two Despatches which have been received from Her Majesty's Minister at Brussels, relative to the projected commercial treaty with Belgium, and to the question of the capitalisation of the Scheldt dues.

I am, &c.
(signed) *E. Hammond.*

Enclosure 1, in No. 33.

(No. 63).

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 10 April 1862.

I COMMUNICATED to M. Rogier yesterday your Lordship's Despatch, No. 21, of the 8th instant, as well as the copy of the note addressed by you

App. No. 6.

to M. Van de Weyer, notifying the decision of Her Majesty's Government to consider any plan for the capitalisation of the Scheldt dues which the Belgian Government might propose.

His Excellency expressed himself gratified by your Lordship's declaration, which he defined as a decided step made in the way of progress in the negotiations.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2, in No. 33.

(No. 64.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 11 April 1862.

THE accounts from Ghent are very unsatisfactory; the distress among the cotton manufacturers is increasing; subscriptions have been raised in behalf of the sufferers, and the Government, as well as the Municipality, have undertaken earthworks connected with the railway, and other contemplated town improvements, with a view to afford employment to unoccupied artisans.

These resources only afford temporary alleviation; and there being no poor law in this country, the position of the industrial classes at such moments of stagnation in business becomes most distressing, is a very serious calamity, and is a source of great danger in regard to public tranquillity.

M. Rogier told me that a new cry had been raised at Ghent among the adversaries to the admission of British cotton manufactures under an equality with those of France. They complain of the mischievous effect already caused by competition with France, though testing the inferiority of the French cotton industry as compared to that of Great Britain, by the protecting duty allowed on British cotton under the French and British Treaty Tariffs, and they claim that for certain goods no lower duties should be admitted in the new tariff than those levied in France on similar products.

M. Rogier remarked that upon certain cotton manufactures, the produce of Ghent industry, it would be quite impossible to treat upon reductions equal to those which had been conceded, perhaps too hastily, to France, except in distant prospective.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 34.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 30 April 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copies of Despatches* which have been received from Her Majesty's Minister at Brussels respecting the proposed Treaty of Commerce with Belgium, and the scheme for the capitalisation of the Sheldt duties.

I am, &c.
(signed) *A. H. Layard.*

* The second of these Despatches is not printed.

Enclosure in No. 34.

(No. 75.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 28 April 1862.

I ASKED M. Rogier, three days ago, whether he had sent any instructions to M. Van de Weyer in reply to the communication of your Lordship's note, addressed to him on the 7th of April.

His Excellency replied that he had not as yet done so, as he was awaiting a report from M. du Jardin, the Belgian Minister at the Hague, of the result of a conference between him and the Netherlands Minister for Foreign Affairs, before he could draw up modified propositions to be laid before Her Majesty's Government by M. Van de Weyer.

The prospect at least of some arrangement for the capitalisation of the Scheldt toll continues to be practically an essential consideration bearing on the tariff negotiations, M. Rogier having declared that he desires to treat that subject in the fairest spirit, and that he is prepared to make sacrifices to meet the views of Her Majesty's Government as to the terms Her Majesty's Government may consider equitable. It would probably save much time, and facilitate an early decision, if (in case the capitalisation is admissible at all) some distinct offer were made, either as to precise terms, such as would be acceptable, or even as to the principle to serve as bases for ulterior negotiations.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 35.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 2 May 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a Despatch which has been received from Her Majesty's Minister at Brussels, reporting his conversation with the Belgian Minister for Foreign Affairs, respecting the proposed commercial treaty, and the question of the capitalisation of the Scheldt tolls.

I am, &c.
(signed) *A. H. Layard.*

Enclosure in No. 35.

(No. 78.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 30 April 1862.

LEARNING yesterday from M. Rogier that he had not yet received any report from M. du Jardin of the contemplated conference with the Netherlands Minister, I pressed him to lose no more time in furnishing M. Van de Weyer with instructions to re-open the negotiations for the treaties with Great Britain.

His Excellency replied that M. Van de Weyer had, in fact, information sufficient for that purpose. He admitted that he hardly expected that any modifications which could be obtained from the Netherlands Government, in the terms they required for the capitalisation of the Scheldt tolls, would

would be such as would be likely to meet the views of Her Majesty's Government; that, in consequence, as Belgium would have to make up the difference, he would suggest that Her Majesty's Plenipotentiaries should present at once a counter project, embodying either the terms themselves, or the principle which might appear equitable and acceptable to Her Majesty's Government for the proposed capitalization.

He remarked that, this point settled, 48 hours would be sufficient to specify the classes of cotton industry to be expected for the moment from the application of the Franco-Belgian Tariff, and to bring to a satisfactory conclusion the Commercial Treaty.

M. Rogier told me that he contemplated making exactly similar propositions to the Prussian Government. In recurring to the question of the Scheldt tolls capitalization, he laid stress upon the consideration that the proposition was not brought forward as a new idea in the character of a condition, but that the principle had been laid down and adopted by a preceding Government, and had even been acted upon so far back as 1857, as to accept by treaty for Belgium the obligation to pay Holland on behalf of Denmark, and subsequently of Hanover, the share which might be ascribed to either country under the eventual capitalization of the said tolls; that as facilities bearing on the navigation of foreign countries were under consideration, the opportunity was an obvious one for effecting at once a comprehensive arrangement from which the commerce of all would derive very material benefit, and that the desired measures, which had been communicated to other governments, had in general been perfectly well received.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 36.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 7 May 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords Committee of Privy Council for Trade, with reference to my letter of the 5th instant, the accompanying copy of a despatch which has been received from Her Majesty's Minister at Brussels, reporting a conversation he has had with M. Rogier respecting the proposed Treaty of Commerce, and the question of the capitalization of the Scheldt tolls.

I am, &c.
(signed) *A. H. Layard.*

Enclosure in No. 36.

(No. 85.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 6 May 1862.

I HAVE had a conversation with M. Rogier on the subject of your Lordship's Despatch, No. 31, received this morning.

He explained that I had not correctly understood what he had said with reference to the required consent of other countries to the proposed capitalization treaty; that under their treaties they would not be entitled to claim the exemption from payment of the Scheldt tolls, though they would have a right to benefit by the reduction in the tonnage, pilotage, and basin dues, which would constitute the set-off against the capitalization arrangement in the treaty with Great Britain whenever it should take place; that on the cessation of the existing Commercial Treaty with Great Britain they could no longer claim the payment by Belgium of the Scheldt tolls on account of their vessels, and that Belgium would no longer pay them for those countries which refused to accept the capitalization project.

With regard to the impression conceived by Her Majesty's Government that the Belgian Government desired to bind Great Britain to the capitalization measure independently of the commercial concessions, he distinctly replied affirmatively to my question, whether I understood him correctly that unless the Treaty of Commerce were signed there was to be no capitalization ("pas de Traité de Commerce, pas de capitalization").

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 37.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 13 May 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a despatch which has been received from Her Majesty's Minister at Brussels relative to the question of the proposed Commercial Treaty with Belgium, and of the capitalization of the Scheldt tolls.

I am, &c.
(signed) *A. H. Layard.*

Enclosure in No. 37.

(No. 95.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 12 May 1862.

ON receipt of your Despatch of the 9th instant, I at once addressed myself to M. Rogier, with a view to obtain a clear declaration in reply to the question put by your Lordship.

M. Rogier's first remark was that he did not understand the object of this renewed reference; that it appeared to him that the declaration contained in your Lordship's note to M. Van de Weyer was sufficient for the Belgian Government; but on my pressing him to authorise me to convey such acceptance of it to your Lordship he hesitated, and requested time to consider the exact terms in which he should reply to your Lordship's question.

I impressed strongly upon him that Her Majesty's Government could not admit of the Scheldt toll capitalization being connected conditionally withthe tariff negotiation; that to avoid this

App. No. 6.

character, the measure must be a general and a prospective one, to be treated and considered with reference to its own distinct and peculiar nature as to origin, action on navigation and commerce, precedent as to capitalization more or less of similar character, and necessary collateral understanding between the Belgian and Netherlands Governments. M. Rogier renewed his often-repeated assurances of his desire that the question should be treated on its own exclusive merits, adding the expression of his confidence that, disposed as he was to accept such terms as might be deemed only fair and equitable, he should be confident of ulterior success if Her Majesty's Government would accept the consideration of it on principle, when there would be nothing to interfere with the immediate and separate negotiation and signature of the Treaty of Commerce.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 38.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 16 May 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a despatch which has been received from Her Majesty's Minister at Brussels, inclosing M. Rogier's explanation as to the course proposed to be pursued with regard to the negotiation of a Commercial Treaty and the proposed capitalization of the Scheldt dues. I also inclose copy of Lord Russell's reply.

I am, &c.
(signed) *A. H. Layard.*

Enclosure 1, in No. 38.

(No. 99.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 13 May 1862.

WITH reference to my Despatch, No. 95, of yesterday's date, I herewith transmit a copy of a note which I have just received from M. Rogier, confirming the declaration which he seemed then disposed to make to me.

I have, &c.
(signed) *Howard de Walden and Seaford.*

Enclosure 2, in No. 38.

M. *Rogier* to Lord *Howard de Walden.*

My Lord, Bruxelles, le 13 Mai 1862.

VOTRE Excellence a bien voulu me poser la question que je vais reproduire textuellement :—

"Quand M. Van de Weyer a communiqué au Gouvernement de la Reine les vues du Gouvernement Belge touchant capitalisation des péages de l'Escaut, entendait il que la négociation du Traité du Commerce serait alors poursuivie ou qu'elle serait différée jusqu'à ce que les deux Gouvernements se fussent mis d'accord sur la base de la capitalisation? Dans ce dernier cas, non seulement il pouvait en résulter des délais interminables, mais cela serait en opposition avec les précédentes communications de M. Van de Weyer dans lesquelles une promesse de négocier ou de concourir ou de prêter ses bons offices en faveur de la capitalisation des péages de l'Escaut était tout ce qui était demandé."

Je m'empresse de déclarer à votre Excellence que le Gouvernement du Roi a regardé comme satisfaisante la déclaration renfermée relativement à la capitalisation des péages de l'Escaut dans la lettre adressé par Lord Russell à M. Van de Weyer le 7 Avril dernier.

Notre intention est donc de poursuivre la négociation du Traité de Commerce et non pas de le tenir en suspens jusqu'à ce qu'on at vidé toutes les questions de chiffres qui peuvent se rattacher à la capitalisation du péage de l'Escaut.

(signé) *Ch. Rogier.*

Enclosure 3, in No. 38.

(No. 35.)

Earl *Russell* to Lord *Howard de Walden.*

My Lord, Foreign Office, 16 May 1862.

I HAVE received your Lordship's Despatch, No. 99, of the 13th instant, enclosing copy of a note from M. Rogier, in which his Excellency states that the Belgian Government consider as satisfactory the declaration regarding the Scheldt duties which was contained in my note to M. Van de Weyer of the 7th of April last.

Under these circumstances Her Majesty's Government expects that M. Van de Weyer will receive instructions to negotiate without further delay the Commercial Treaty.

I am, &c.
(signed) *Russell.*

No. 39.

Mr. *Hammond* to Mr. *Booth.*

Sir, Foreign Office, 17 May 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a despatch which has been received from Her Majesty's Minister at Brussels respecting the commercial negotiations with Belgium, and the intention of Belgium to enter into the negotiation of a Commercial Treaty with Prussia.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 39.

(No. 101.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 16 May 1862.

M. ROGIER informed me yesterday that the instructions for M. Van de Weyer were nearly ready

ready, and would be forwarded to him without delay. He expressed himself extremely anxious that the negotiations for the Treaty of Commerce should be brought to a satisfactory conclusion with as little delay as possible, on account of the advanced period of the Session. He also told me that the Belgian Government were about to open negotiations with Prussia, to be conducted on exactly the same basis as those with Great Britain, and that the instruction to be sent to M. Nothomb, the Belgian Minister at Berlin, would be the counterpart of those drawn up for M. Van de Weyer in regard to commerce as well as to navigation, including the contingency of the eventual capitalization of the Scheldt tolls.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 40.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 5 June 1862.

I AM directed by Earl Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a note which has been received from the Belgian Minister in this country, containing proposals as to the negotiation of a Commercial Treaty with this country.

I am, &c.
(signed) *A. H. Layard.*

Enclosure in No. 40.

M. *Van de Weyer* to Earl *Russell.*

50, Portland-place,
My Lord, le 3 Juin 1862.

LE Gouvernement du Roi se plaçant sur le terrain indiqué par la note de votre Seigneurie en date du 7 Avril dernier, au sujet des négociations commerciales entre la Belgique et la Grande Bretagne, a préparé et m'a chargé de remettre à votre Seigneurie le projet de Tarif transitoire ci-joint (A.),* qui, le Gouvernement du Roi n'en saurait douter, ne peut manquer de recevoir l'adhésion des negociateurs de Sa Majesté Britannique.

Dès le 1 Janvier prochain, époque à laquelle deviendrait exécutoire l'Article du Traité relatif aux fils de tissus dont il s'agit, le Tarif Belge subirait une premiére et forte réduction.

Pendant trois ans les droits continueraient à descendre successivement, pour arriver, le 1 Janvier 1866, au taux fixé par le Tarif Franco-Belge du 1er Mai.

Il n'échappera pas à votre attention, my Lord, que dans son Traité avec la France, le Zollverein a stipulé un délai de trois ans en faveur de plusieurs de ses industries.

La Grande Bretagne traitera sur le même pied avec l'Association Allemande, elle ne se montrera pas plus rigoureuse pour la Belgique, qui ne réclame de répit que pour une seule industrie, et qui se trouve aux prises avec des difficultés qui ne sont ni contestables ni contestées. App. No. 6.

Je suis chargé d'ajouter, my Lord, que la formule A ci-jointe est proposée également à l'Allemagne et à la Suisse, pays avec lesquels la Belgique est en négociations, et les seuls avec l'Angleterre contre lesquels nos fabricants aient besoin d'une sauvegarde provisoire.

Enfin je prierai votre Seigneurie de vouloir bien remarquer que si les droits d'entrée en Belgique sur les fils de coton Anglais n'arrivaient pas immédiatement à leur taux normal, ils descendront néanmoins au 1 Janvier 1866, au-dessous du chiffre des droits qu'acquittent les mêmes fils à leur importation en France. Cette inégalité de conditions à l'entrée en France et en Belgique est un des sérieux griefs allégués par nos filateurs.

Le Tableau A est rédigé de manière à pouvoir prendre place dans l'Article XIII de notre Projet de Traité. Pour en faciliter l'examen et l'appréciation j'y ai joint un Tableau B* qui indique :—

1. Le Tarif Général Belge sur les fils et les tissus de coton.
2. Le Tarif du Traité entre la Belgique et la France; et
3. Le Tarif du Traité entre la Grande Bretagne et la France pour les mêmes produits.

J'ai, &c.
(signé) *S. Van de Weyer.*

No. 41.

Sir *J. Emerson Tennent* to Mr. *Layard.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 11 June 1862.

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 5th instant, transmitting, by direction of Earl Russell, a copy of a note from the Belgian Minister at this Court, containing a statement of the terms upon which the Belgian Government proposes to admit those articles of British manufacture from which they desire to withhold the benefit of the Tariff which they have recently conceded to France.

Lord Russell is aware that in February last the Belgian Government made proposals to Her Majesty's Government with a view to the conclusion of a commercial treaty by which that tariff would have been extended to the United Kingdom, except as regards three articles of British manufacture, viz. :—

1. Cotton twist.
2. Cotton prints.
3. Tissues of wool mixed with cotton.

Upon these manufactures it was proposed to maintain higher duties than upon the like manufactures of France until the 1st of January 1864, at which date they were to be admitted on equal terms, with an optional reservation in regard to cotton prints.

In their letter of the 23d of November, my Lords expressed the strong objection which they entertained to the principle of these exceptions, and although (limited as they were both as to number and time) they were unwilling to advise that all negotiation upon such a basis should be refused, they were nevertheless of opinion that even

* These Enclosures are not printed.

App. No. 6.

even these reservations were too important to be admitted without some modifications.

It has been, therefore, with much surprise that my Lords have received the present proposals from the Belgian Government. Instead of being confined, as the proposals of February are confined, to three branches of manufacture, differential duties of about 30 per cent. are extended to every department of the cotton trade—single yarns of all kinds, warped, bleached, and dyed yarns of all kinds, and tissues of cotton of all kinds, unbleached, bleached, and dyed; and although a progressive reduction is provided in the amount of these differential taxes, the final period of assimilation is postponed from January 1864 to January 1866.

The proposition, therefore, now before Her Majesty's Government amounts to nothing less than this: whether, after the repeated assurances which have been given them by the Belgian Government, and in face of the unprecedented liberality of the British Tariff to Belgian manufacturers, they can agree to a treaty by which every branch of the cotton industry of this country, and the most extensive department of the worsted trade, will be subjected in Belgium to heavy differential duties until 1866.

My Lords are of opinion that the wide extension, both in number and duration, given to these exceptions by the present proposal, removes all doubt as to the course which Her Majesty's Government should take with respect to M. Van de Weyer's communication.

They would have been extremely unwilling, on principle, especially with reference to future negotiations with other countries, to sanction by treaty the maintenance of differential duties against British manufactures, even if they had been confined to one or two articles for a limited time; but when these are made to apply for so long a period as three years and a-half to every branch of our greatest national industry, as well as to the mixed fabrics of Yorkshire, which constitute a large and separate interest, they can no longer hesitate to recommend the unqualified rejection of the Belgian proposals.

My Lords have on so many former occasions expressed their strong sense of the impolitic and unfriendly course which has been taken by the Belgian Government throughout these negotiations, that they can add nothing to what has been already said, but they think that the Belgian Government should now be informed that Her Majesty's Government cannot consider their refusal to conclude a treaty sanctioning a system of duties against which they have already protested, as affording any valid reason to Belgium for withholding from British trade the whole of the tariff which has been given to France, and promised simultaneously to England.

Her Majesty's Government extended unconditionally and simultaneously to Belgium the tariff reductions which they gave to France by the Treaty of 1860.

My Lords are unaware of any cause which precludes the Belgian Government from giving to this country by law the benefit of the reductions which they are prepared to make by treaty, and if, owing to the supposed necessities of the cotton industry of Ghent, the Belgian Government persists in withholding from the products of Lancashire and Yorkshire, affected as they are by the same causes, that equal treatment which Her Majesty's Government were entitled to expect for them, my Lords see no reason why that Government should not, at all events, extend by law to all other British commodities the tariff which they have given to France by the Treaty of 1861.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 42.

(Immediate.)

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 12 June 1862.

With reference to your letter of yesterday I am directed by Earl Russell to request that you will ask the Lords of the Committee of Privy Council for Trade whether by the unqualified rejection of the proposed treaty Her Majesty's Government will best serve British manufacturing interests.

Or whether, by offering two years' delay for—1. Cotton twist; 2. Cotton prints; before equality is established, they may not serve British woollen manufacturers, and leave cotton goods in a position at least as good as they would otherwise obtain.

I am, &c.
(signed) *E. Hammond.*

No. 43.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 14 June 1862.

In reply to your letter of the 12th instant on the subject of the commercial negotiations with Belgium, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will inform Earl Russell that in recommending the unqualified rejection of the Belgian proposals contained in M. Van de Weyer's note of the 3d instant, they understood the question before them to be whether Her Majesty's Government should or should not agree to make even greater concessions to the Belgian Government than they were asked to make in February last, the exceptions which were even then proposed having been already, in the opinion of this Board, too important to be admitted without some modifications.

Lord Russell, however, now desires the opinion of this Board as to whether Her Majesty's Government would not better serve British manufacturing interests, by offering to Belgium the maintenance of the proposed differential duties upon cotton twist and cotton prints for a period of two years; in other words, to propose important modifications in the Belgian proposals of February last.

In reply to the question my Lords can only revert to the opinion which they expressed in their letter of the 23d November last upon the proposal in question, and state that if Earl Russell is of opinion that the admission of these exceptions will not affect unfavourably any future negotiations with third countries which may claim similar concessions, and if he has reason to think that the Belgian

Belgian Government will be ready to make such remarkable deductions from their recent demands as to limit the differential duties against British manufactures, both in number and duration, in the manner suggested by Earl Russell, they would not be prepared to recommend that her Majesty's Government should refuse its assent to the proposed Commercial Treaty with Belgium.

In order to enable Lord Russell to form some estimate of the relative scope of the three different proposals which have been made, I am to request that you will call his attention to the following figures, showing the total value of the branches of our export trade which will be respectively affected by them:—

Belgian Proposals of February last.

	£.
Cotton Twist, estimated at -	1,500,000
Cotton Prints, about -	12,800,000
Mixed Stuffs, &c. - -	4,234,442
Total - - £.	18,534,442

Belgian Proposals of June.

	£.
Cotton Yarn and Twist - -	9,292,841
Cotton Manufactures of all kinds,	37,543,908
Mixed Stuffs, &c. - - -	4,234,442
Total - - £.	51,071,191

Lord Russell's present Proposals.

	£.
Cotton Twist - - - -	1,500,000
Cotton Prints - - - -	12,800,000
Total - - £.	14,300,000

It must, however, be observed that the markets of Europe are not of the same relative importance to the British cotton-print trade as to the other branches of our export trade which would be affected by any of these proposals, the bulk of the former being destined for the Indian, China, the Levant, and the South American trades.

The difference, therefore, between Lord Russell's proposal and the Belgian proposals of February last is much greater, in reality, than is represented by the figures given above.

I am to add, with reference to M. Van de Weyer's remark in his note of the 3d instant, that the Belgian Government intends to propose similar exceptions to the Governments of the Zollverein and Switzerland; that so far as regards the former Government, my Lords are informed that it is in the highest degree improbable that they will be admitted; and they apprehend that England will be the only country against which differential duties will be enforced.

They think, therefore, that if Her Majesty's Government should decide on submitting to this exceptional treatment, they should at all events insist on the removal of all the other remaining inequalities which still press with unjust severity upon British trade with Belgium.

Among these, as Lord Russell is aware, one of the most serious is the differential duty charged upon salt imported into Belgium by British ships.

By the recent treaty with France, Belgium has assimilated the French to the national flag in this respect, and if Her Majesty's Government is not prepared at once to enter upon the negotiation of the Navigation Treaty which has been proposed by Belgium, and which would have conferred an equal privilege on British shipping, my Lords would strongly urge upon Earl Russell the importance of endeavouring to secure this object by means of a stipulation to be inserted in the Commercial Treaty. App. No. 6.

I have, &c.
(signed) *J. Emerson Tennent.*

P.S.—I am to add that if the present negotiations are confined to the Commercial Treaty, it will be necessary to omit from it Article XII., by which the Treaty of Commerce and Navigation of 1851, and the Fisheries Convention of 1852 would be abrogated.

J. E. T.

No. 44.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 20 June 1862.

With reference to your letter of the 14th instant, I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a note* which Lord Russell has addressed to M. Van de Weyer, in reply to his late proposals for the negotiation of a Commercial Treaty with Belgium.

For the convenience of the Board, I also enclose printed copies* of the correspondence which has lately passed in this matter.

I am, &c.
(signed) *A. H. Layard.*

No. 45.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 30 June 1862.

I am directed by Earl Russell to request that you will state to the Lords of the Privy Council for Trade that although, as their Lordships are aware, Her Majesty's Government have declined the late proposals of the Belgian Government connected with the proposed commercial negotiations, his Lordship would be glad to learn the opinions of the Board on the general proposals of the Belgian Government as embodied in the drafts of conventions lately communicated to the Board of Trade. I am, therefore, to request that you will move the Board to favour Lord Russell with their views in this matter.†

I am, &c.
(signed) *A. H. Layard.*

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* These Enclosures are not printed here.

† For the reply to this letter, *see* No. 47.

App. No. 6.

No. 46.

Mr. *Layard* to Mr. *Booth*.

Sir, Foreign Office, 3 July 1862.

With reference to my letter of to-day, I am directed by Earl Russell to request that you will inform the Lords of the Committee of Privy Council for Trade, that M. Van de Weyer states that he is now ready to communicate M. Rogier's last proposals to Her Majesty's Government; and Lord Russell trusts that their Lordships are equally ready to give their opinion upon the proposals already before them in detail, in order that the question may be considered without loss of time.

For the more complete information of the Lords of the Committee of Privy Council for Trade, a copy* of the printed correspondence on this subject up to the latest date is herewith enclosed.

I am, &c.
(signed) *A. H. Layard.*

No. 47.

Sir *J. Emerson Tennent* to Mr. *Layard*.

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 5 July 1862.

With reference to Earl Russell's desire, expressed in your letter of the 30th of June, that he may receive the opinion of this Board on the general proposals of the Belgian Government embodied in the drafts of conventions which were communicated to Her Majesty's Government in February last, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will submit to his Lordship the following observations:—

The draft Treaty of Commerce consists of 14 articles, with an additional article having reference to the Ionian Islands.

Article I. may, in the opinion of my Lords, be admitted as it stands.

Article II., same remark.

Article III. corresponds with the articles respecting importation and exportation in the recent treaties concluded or proposed by Her Majesty's Government; and although the wording appears to my Lords not very convenient, they see no objection to its adoption.

Article IV. may be admitted.

Article V. stipulates for certain reductions in the duty upon chicory and hops in the United Kingdom, to which the Lords of the Treasury object. A copy of their Lordships' letter to this Board on this subject is herewith enclosed.

Article VI., which has reference to the transit trade, appears to my Lords misplaced, and not sufficiently comprehensive. They would propose that it should be made to follow Article II. in order, and that the terms should be as follow:—

"Equality of treatment in regard to warehousing and to the transit trade, and also in regard to bounties, facilities, and drawbacks, shall be enjoyed by the subjects of the high contracting parties reciprocally."

Article VII. may, in the opinion of this Board, be admitted.

Article VIII., stipulating for the reciprocal admission of the fishermen of the two countries to their territorial seas, is one which my Lords, for the reasons stated in their letter of the 23d November last, cannot advise Lord Russell to entertain.

Article IX., which has reference to trade marks and designs, appears to my Lords to be free from objection; but Article X., which provides for the reciprocal deposit of trade marks, models, and designs, requires a condition which, so far as regards trade marks, the present laws of this country do not enable Her Majesty's Government to impose, as there is no registration for trade marks in the United Kingdom.

Article XI. may be accepted.

Article XII. provides for the termination of the Treaty of Commerce and Navigation between this country and Belgium of 1851, and of the Fisheries Convention of 1852, ten days after the exchange of the ratifications of the proposed treaty.

Upon this article I am to observe that, unless the proposed Navigation Treaty be simultaneously concluded by Article XV., of which the objection would be met, it will probably not be desirable to forego the right to the repayment of the Scheldt toll, guaranteed to British ships by Article VII. of the Treaty of 1851, during a period of 12 months from its denunciation.

I am to add that under Article II. of the Fisheries Convention of 1852, British oysters destined for the national beds are admitted into Belgium at a duty of 1 franc per 100 francs value, and that under the tariff annexed to the Treaty between France and Belgium of May last, and which would be applicable to British oysters under the proposed Treaty of Commerce, they would be liable to a duty of 10 per cent. per 100 kilogrammes, a rate very much exceeding 1 per cent. on the value. Stockfish, which is admitted under the Convention of 1852 at 1 franc the 100 kilogrammes, would under the new tariff pay 1 franc 50 centimes per 100 kilogrammes. Some precaution should, therefore, be taken, if this Convention be abrogated, to guard against an augmentation of duty upon these articles of British export.

It must also be recollected that if Article VIII. of the present draft be rejected it will be necessary to provide for the duty upon British codfish, which is at present regulated by Article II. of the Fisheries Convention, and is not provided for in the Tariff given to France.

Article XIII. has reference to certain reservations of the Tariff which has been extended to France. Upon these my Lords have already expressed their opinion, and as they understand that they are still the subject of negotiation between the two Governments, it is not necessary to comment upon them on the present occasion.

Article XIV. is the usual formal article providing for the exchange of ratifications, and the additional article with reference to the Ionian Islands calls for no observation.

In conclusion, I am to suggest that the usual "most favoured nation" Article should be inserted in the treaty as a distinct and general stipulation.

Subject to these remarks, my Lords see no objection to the conclusion of the proposed Treaty of Commerce; but if Earl Russell is of opinion that such an attempt can be made, they would suggest

* This Enclosure is not printed here.

suggest that Her Majesty's Government should endeavour to obtain some reduction in the duties upon alkali and chloride of lime, if not its entire abolition, and also in those upon glass and earthenware, which, under the tariff given to France, are still so high as to preclude the hope of an extensive trade from this country, and which have been the subject of representations from British manufacturers.

I am also to refer to the remarks contained in my letter of the 14th June, on the subject of the discriminating duty on salt imported into Belgium under the British flag.

As regards the draft Treaty of Navigation, which consists of 19 Articles, the only Articles which appear to call for observation are Articles IX., X., XII., XIII., XVI., and XVIII.

Article IX., which relates to the coasting trade, is one which although in principle my Lords would be quite disposed to admit, is not consistent with the existing legislation of this country, in respect of the coasting trade of the British Colonial Possessions. On this subject, my Lords beg to refer to the remarks contained in their letter of the 23d November last.

Article X. is also included in the Commercial Treaty, and has been already adverted to in the preceding part of this letter.

Article XII. On this article also my Lords must refer for their remarks upon Article XXI. of the former draft Treaty submitted by the Belgian Government, which are contained in their letter of the 23d November.

Under existing legislation it cannot be admitted in its present shape; and my Lords would suggest the substitution of an article in the terms of Article XVII. of the Treaty between this country and Russia of 5 January 1859.

Article XIII. In the concluding paragraph of this article it is desirable to insert the words "de douane" after the word "droits."

Article XVI. The acceptance of this article must, of course, depend upon the course taken by Her Majesty's Government with respect to the proposed capitalization of the Scheldt toll.

Article XVIII. abrogates the Treaty of 1851 and the Fisheries Convention of 1852, and is subject to the remarks contained in this letter on Article XII. of the draft Treaty of Commerce.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 48.

Mr. *Murray* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 30 July 1862.

I AM directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copy of a despatch which has been received from Her Majesty's Minister at Brussels, relative to the Commercial Treaty between this country and Belgium.

I am, &c.
(signed) *James Murray.*

Enclosure in No. 48.

App. No. 6.

(No. 142.)

Lord *Howard de Walden* to Earl *Russell.*

My Lord, Brussels, 29 July 1862.

THE Treaty between Great Britain and Belgium, signed in London on the 23d instant, will be referred to-morrow to Committees of the Chamber of Representatives. The House will be then adjourned for a short time (10 days or a fortnight) until the Reports of the Committees are ready for consideration.

The industrial interests at Ghent and Brussels, affected by the reduction of duties on cotton and mixed goods, have commenced an active agitation against the treaty, and deputations have been appointed to wait upon the Ministry and to protest against the so-called abandonment of the suffering classes employed in those branches of manufacture.

I have, &c.
(signed) *Howard de Walden and Seaford.*

No. 49.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 2 August 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, copy of the Report which has been received from Her Majesty's Minister at Brussels, and which was laid before the Belgian Chamber of Representatives by M. Rogier, on presenting the project of law for the adoption of the Treaty lately concluded between Great Britain and Belgium, together with a copy of the Treaty itself, and a "note complémentaire."

I am, &c.
(signed) *A. H. Layard.*

No. 50.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 14 August 1862.

I AM directed by Lord Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a Report,* which has been received from Her Majesty's Minister at Brussels, of the Section Centrale of the Belgian Chamber of Representatives on the Commercial Treaty with this country.

I am, &c.
(signed) *A. H. Layard.*

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* This Enclosure is not printed.

App. No. 6.

No. 51.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 15 August 1862.

I AM directed by Lord Russell to state to you, for the information of the Lords of the Committee of Privy Council for Trade, that he has been informed by Lord Howard de Walden that the project of law presented to the Belgian Chamber of Representatives for the adoption of the Treaty signed in London, was voted on the 13th instant by a majority of 76 against 10.

I am, &c.
(signed) *A. H. Layard.*

No. 52.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 20 August 1862.

I AM directed by Lord Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copy of a Despatch which has been received from Her Majesty's Minister at Brussels, enclosing reports of the debates in the Chamber on the Commercial Treaty between Great Britain and Belgium, and stating that fresh proposals are to be made by M. Rogier in the interest of the manufacturers of Ghent.

I am, &c.
(signed) *A. H. Layard.*

Enclosure in No. 52.

(No. 148.)

Lord *Howard de Walden* to Earl *Russell.*

Brussels,
My Lord, 14 August 1862.

YOUR Lordship will observe from the reports of the debates on the Commercial Treaty, brought to a conclusion yesterday, which I herewith enclose,* that M. Rogier accepted of an amendment to the law, to the purport that if by agreement with Great Britain the duties fixed by the Treaty for the importation into Belgium of British cotton, yarns, and tissues, the new system may be put in vigour by Royal arrêté.

I have seen M. Rogier this morning; he expressed his great anxiety that Her Majesty's Government might be disposed to receive the proposals in question favourably. He laid great stress upon the political importance to his Cabinet of conciliating the Ghent manufacturers through the modification of the temporary tariff on cotton threads as it now stands.

He explained that the precise nature of the alteration proposed was—

1st. To admit the fine classes of cotton thread, upon which graduated differential duties are reserved for two years previous to being placed on an equality with the same when imported from France, at once entirely free from all duty whatever.

2d. To raise the duty on the inferior cotton threads (lowered by the treaty from 101·80 francs per 100 kilogrammes to 15 francs) to 60 or 70 francs the first year, and 30 francs the second, falling to 15 francs in the third.

He said he thought the Ghent people entirely wrong in their view of their own interests; that he considered such an increase of duty naturally calculated to operate prejudicially on the native manufacture of the ordinary cotton goods, which constituted an important branch of their local industry; that he should not be surprised at receiving before many months passed an appeal for the total removal of all duties on the lower as is now proposed on the superior qualities of thread; but that in the meanwhile, considering the great distress which really existed at Ghent, and the strong apprehension of the effect to be produced by the general modification of the tariff as applicable to Great Britain, and the number still employed in the common thread making, it would be politic to meet the suggestions emanating from the cotton industry of that place, and thus deprive them of arms for attacking the Government hereafter, and ascribing to the treaty any of the future distress which is impending over the cotton industry of all countries, and emanating from causes entirely distinct from all tariff calculations.

Full instructions will be sent at once to M. Van de Weyer, and it is the intention of M. Rogier to return to England, accompanied by representatives of the manufacturers of Ghent interested in this matter.

I have, &c.
(signed) *Howard de Walden and Seaford.*

* This Enclosure is not printed.

No. 53.

Mr. *Murray* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 25 August 1862.

I AM directed by Earl Russell to transmit to you copies of communications from M. Van de Weyer upon the subject of the concessions demanded by the Belgian Government from this country in favour of the coarser sorts of cotton thread, in return for the abolition of all duty on the finer sorts; and I am to request that you will lay these papers before the Lords of the Committee of Privy Council for Trade, and move them to favour Lord Russell with their observations thereupon at their earliest convenience.

I am, &c.
(signed) *James Murray.*

Enclosure 1, in No. 53.

(Extrait.)

M. *Rogier* to M. *Van de Weyer.*

Vous avez sous les yeux la discussion à laquelle le Traité du 23 Juillet, a donné lieu au sein de la Chambre des Représentants. Vous connaissez donc les circonstances qui ont déterminé le Gouvernement à prendre l'engagement de soumettre une nouvelle proposition au Cabinet de Londres, et le caractère particulier de cette proposition.

Il ne s'agit, en aucune manière, je n'ai pas besoin de le dire, de remettre le Traité en question.

Mais politiquement, l'Angleterre a intérêt à ce que

que le traité reçoive en Belgique l'adhésion la plus complète possible.

Et, au point de vue purement industriel, elle peut, sans se faire tort, agréer notre proposition. Nous ne demandons pas, en effet, une faveur gratuite.

Aujourd'hui les fils de coton, simples écrus, d'origine Anglaise, acquittant à l'entrée en Belgique un droit de 1 franc 1 centime par kilogramme, jusqu'au No. 140 métrique, et de 6 centimes au delà. C'est le tarif général. Par l'application du Traité Franco-Belge à l'Angleterre, le droit de 1 franc 1 centime serait remplacé par des taxes de 15 à 40 centimes par kilogramme.

Nous offrons à l'Angleterre d'affranchir de tout droit d'entrée en Belgique les fils de coton dépassant le No. 70—non point pendant deux ans, mais pendant toute la durée du traité. Il ne subsisterait donc de droit que sur les fils allant jusqu'au No. 70.

Pour les fils de cette dernière catégorie, le droit de 1 franc 1 centime par kilogramme descendrait à 70 centimes pendant la première année, et à 50 centimes pendant la seconde. A l'expiration de la période transitoire, les droits de 15 à 40 centimes sur les fils ne dépassant pas le No. 70 seraient définitivement appliqués.

En un mot, en retour d'une faveur immédiate et permanente, que nous concéderions aux fils fins, nous demandons qu'un régime transitoire, et d'ailleurs décroissant soit accordé aux fils communs.

Une autre conséquence naturelle du tarif transitoire qui serait adopté pour les fils simples écrus, c'est que le régime des tissus de cotons écrus (calicots) subirait provisoirement aussi une modification analogue.

Le droit général sur les calicots est actuellement de 2 francs 16 centimes par kilogramme. Le traité substitue à cette taxe unique des droits variant de 50 centimes à 3 francs par kilogramme d'après le poids combiné avec la finesse des tissus. Le droit de 2 francs 16 centimes subirait, comme le tarif des fils simples écrus, une réduction de 20 pour cent pendant la première année, et une autre également de 20 pour cent pendant la seconde. Au terme des deux années on arriverait au régime fixé par le traité, c'est-à-dire, aux droits de 50 centimes à 3 francs.

Que si le Gouvernement Britannique préférait la combinaison suivante, vous pourriez également la proposer.

Seconde Combinaison :—

Fils de Coton, simples écrus.

Tarif Actuel.	Ire Année.	2me Année.	Tarif Définitif du Traité.
Par kilog.	Par kilog.	Par kilog.	Par kilog.
Fr. c.	*Fr. c.*	*Fr. c.*	*Fr. c.*
1·01	0·30	0·25	0 15
1·01	0·40	0·30	0·20
1·01	0·60	0·45	0·30
1·01	0·80	0·60	0·40

Tissus.—Au lieu des tissus écrus divisés en plusieurs classes, notre demande ne porte plus que sur une spécialité : c'est celle qui dans le Tarif Franco-Belge est comprise sous la rubrique—"Piqués, faconnés, damassés et brillantés, taxés à 15 pour cent *ad valorem* par le traité." App. No. 6.

Nous proposons pour cette rubrique 22½ pour cent la première année, et 20 pour cent la seconde année, comme pour les tissus mélangés (sauf qu'il ne peut s'agir ici d'un droit facultatif au poids, la taxation au poids étant impossible pour des tissus de cette nature et de cette finesse).

Il reste toujours entendu qu'au dessus du No. 70 tout droit cesse dans les deux combinaisons ci-dessus.

Il va sans dire aussi que, les droits sur les fils simples écrus étant pris pour base, les fils tors, ourdis ou teints, seraient, ainsi que cela résulte du traité, et sans qu'il soit nécessaire de la stipuler de nouveau, supérieurs de 5, 10, et 15 centimes.

Enclosure 2, in No. 53.

M. *Rogier* to M. *Van de Weyer.*

(Extrait.)

Il est facile de démontrer par les faits que la concession que la Belgique demande aujourd'hui à l'Angleterre sur les fils de coton est tout à l'avantage des filateurs Anglais; que la suppression du droit de 40 centimes à l'importation des filés d'Angleterre sur les fils au-dessus du No. 70 doit provoquer une vente facile et considérable de ces fils sur le marché Belge, tandis que l'élévation du droit protecteur de 20 (1) à 70 centimes sur les fils communs et moyens, et ne pourra donner au filateur Belge qu'une satisfaction morale, c'est-à-dire, que le droit de 70 centimes ne sera pas plus prohibitif que celui de 20 centimes sur les numéros que l'on fait en Belgique presqu'au même prix qu'en Angleterre. En effet l'enquête publiée à la suite de l'Exposition Universelle de 1855 à Paris établit qu'en Angleterre chaque broche de filature de coton produit seulement 15 kilogrammes de fil, tandis qu'en Belgique ce chiffre a été reconnu par les mêmes documents s'élever à 25, c'est-à-dire, que la filature en Belgique ne s'est occupé jusqu'aujourd'hui que des bas numéros et qu'en général la filature Anglaise s'est attaché à la fabrication des numéros beaucoup plus fins que ceux qui se fabriquent en Belgique. Cette circonstance de la filature presque générale et exclusive de bas numéros en Belgique explique comment depuis plus de dix ans les prix de ces fils Belges, malgré un franc de droit protecteur, n'ont jamais dépassée que de 15 à 18 centimes les prix des mêmes numéros sur les marchés Anglais. La concurrence est telle entre les filateurs Belges tous appliqués à la même catégorie de produits qu'ils sont obligés de réduire leurs bénéfices au minimum, quelle que soit d'ailleurs la protection contre la concurrence étrangère.

Donc, 20 centimes sont des droits aussi protecteurs que 70 et le fil Anglais des numéros moyens ne se placerait pas plus avec 20 qu'avec 70 centimes de droit; tandis que l'affranchissement de tout droit, et par le fait la suppression d'un droit de 40 centimes sur les numéros au-dessus de 70, doit être infailliblement un grand avantage pour le filateur Anglais.

On élève le droit sur les qualités de fil qui sont pour lui les moins importantes, qui ne constituent pas sa fabrication principale, qui renferment beaucoup de matière première et peu de

0.99.

App. No. 6.

façon; et on supprime tout droit sur notre marché à l'importation des fils qui constituent essentiellement sa spécialité, et sur lesquels il y a, en raison d'une façon plus chère, un plus grand bénéfice pour le fileur.

En résumé, quelle sera logiquement la conséquence de la modification sollicitée? Vente rare et très exceptionnelle de filés Anglais de bas numéros et vente facile et beaucoup plus considérable de filés fins.

L'Angleterre a donc tout intérêt à nous faire une concession qui, nous devons bien le reconnaître, n'est en définitive qu'une satisfaction morale donnée à nos filateurs alarmés, tandis qu'elle ouvre à la filature spéciale et importante de Manchester un marché considérable et affranchi de tout droit sur le marché Belge, devenu très important par le développement du tissage des articles en coton pur et en laine et coton.

En un mot, 70 centimes snbstitués à 20 sur le numéro bas, n'entrave ni ne facilite l'importation des filés Anglais de ces numéros; la suppression de 40 centimes sur les numéros fins facilite d'une manière significative la vente de ces fils Anglais sur le marché Belge.

No. 54.

Mr. *Booth* to Mr. *Murray*.

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 27 August 1862.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 25th instant, transmitting, by direction of Earl Russell, copies of communications from M. Van de Weyer, upon the subject of the concessions demanded by the Belgian Government from this country in favour of the coarser sorts of cotton thread in return for the abolition of all duty on the finer sorts, and requesting the observations of this Committee thereupon.

In reply, I am to request you to lay before Lord Russell the accompanying Memorandum containing their Lordships' views upon the communications in questions.

I have, &c.
(signed) *James Booth.*

Enclosure in No. 54.

MEMORANDUM on M. *Van de Weyer's* Note to Lord *Russell*, received in the Foreign Office Letter of 25 August.

THE Belgian Government desires to obtain the consent of Her Majesty's Government to introduce further modifications in the tariff annexed to the Treaty of Commerce recently signed between this country and Belgium.

Under that tariff the only exceptions to the duties given to France by the Treaty of May 1861, are those which apply to double cotton yarns, cotton prints, and mixed fabrics of wool and cotton.

It is now desired to extend the system of differential duties against British manufactures to all cotton tissues and to single cotton yarns, so that the whole combined industries of Lancashire and Yorkshire will be placed at a disadvantage in the Belgian markets for two years.

The precise nature of the present proposals is as follows:—

Two alternative courses are offered to the British Government in lieu of the existing arrangements:—

COTTON YARNS.

	Tariff annexed to recent Treaty.	Present Proposals.			
		No. 1.		No. 2.	
	Per 100 kilos.	Per 100 kilos.		Per 100 kilos.	
		First Year.	Second Year.	First Year.	Second Year.
	c.	c.	c.	c.	c.
20,000 mètres or less p' ½ kilo.	15	70	50	30	25
20,000 to 30,000 mètres „	20			40	30
30,000 to 40,000 mètres „	30			60	45
40,000 mètres and more „	40			80	60
70,000 mètres and more „	- -	Free		Free.	

This proposal amounts to this, that British yarns up to No. 70 shall be subjected to differential duties as against France and Germany, and all other countries, for two years ranging from 40 to 50 per cent.

It is, however, contended that this proposal can only be beneficial to the English spinning trade, because the Belgian spinner can already produce the low numbers as cheap as the British, and that therefore, even if there were no protective duties, few British yarns of this description could be sold in Belgium, while the higher numbers, not being produced at all, or in very limited quantities, in Belgium, will without duty be freely consumed, and largely supplied from this country.

It must be admitted that this is a very peculiar argument: "Because you cannot compete with us," it is urged on the part of Belgium, "in low yarns, you cannot care whether the duty is low or high, for it must be equally prohibitory, and a high duty will give a moral satisfaction to our spinners; while as we cannot compete with you in fine yarns, and you must command our markets whether there are duties upon them or not, your fine yarns shall be admitted free."

The converse of this argument would have been more logical; but if any adequate advantage were really to be derived for our fine yarns from this free admission, it might have been possible to entertain the question.

When, however, the present amount of the duty upon fine yarns is considered, it will be seen that the proposed boon is quite illusory.

The duty of 40 francs per 100 kilogrammes even on No. 70 must be something considerably less than 10 per cent., and on the higher numbers it is quite nominal, so that the increased consumption of these years in Belgium which would result from their freedom from duty could not be perceptible in a market in which, according to the Belgian statement, we possess an absolute monopoly, at all events as regards Belgian competitors; and it must be borne in mind that under the most-favoured nation Article in the Treaty between France and Belgium, the former must be admitted to an equal participation in the boon of free admission for yarns beyond No. 70.

Cotton Tissues.

It is next proposed that analogous differential duties should be placed upon all cotton tissues. The bearing of this proposal will be seen by the following Table:—

COTTON CLOTHS, UNBLEACHED, &c.

Tariff annexed to recent Treaty.	Per 100 kilos.	Present Proposal.	
		First Year.	Second Year.
First Class.—11 kilos. and more, per 100 m. c.:—	Frs.	Frs.	Frs.
35 threads and less (5 mill. carrés) - -	50		
36 threads and more - - - - - -	80		
Second Class.—7 and 11 kilos. per 100 m. c.:—			
35 threads and less - - - - - -	60		
36 to 43 - - - - - - -	100		
44 and more - - - - - - -	200	172	137
Third Class.—3 and 7 kilos. per 100 m. c.:—			
27 kilos. and less - - - - - -	80		
28 to 35 - - - - - - - -	120		
36 to 43 - - - - - - - -	190		
44 and more - - - - - - -	300		

Or, as an alternative, it is presumed (though the meaning is obscure) a simple augmentation of the duty upon "piqués, basins, façonnés, damassés, et brillantés" (which are taxed under our recent treaty, as well as in that with France, at 15 per cent. *ad valorum*) to 22½ per cent. *ad valorum* for the first year, and to 20 per cent. for the second.

Of the two proposals, if they are intended as alternatives, the second would be preferable, but it is difficult to conceive on what plea either can be urged.

The argument drawn from the increased duties on yarns is disposed of by the note itself, for if the price of yarns up to No. 70 is nearly the same in both countries, the duties on cloth under the existing arrangement must afford ample protection to the weaver in Belgium; the only plea for a corresponding augmentation of duty on the cloth to that proposed for the yarn being that the price of the yarn, which is the raw material of the weaver, would be raised; but the note states first, that he will not use British yarns of this quality, and, secondly, that the price of them in Belgium is scarcely higher than in Manchester.

In conclusion, it is proposed to augment proportionately to the increase on single yarns, those upon double bleached and dyed yarns.

It is unnecessary to observe that this proposition very closely resembles that put forward in May last, and rejected absolutely by the British Cabinet. It was upon the faith of its withdrawal that the Board of Trade recommended the admission of the exceptions which stand in the recent arrangement, and if these proposals are now to be discussed, the whole negotiation must be re-opened at the point from which we started in May last.

There is nothing in the present aspect of affairs to affect or modify the conclusions at which the Board of Trade arrived at that time; on the contrary, after the conditions of the Treaty have been made known to the country, it will be far more difficult to admit new exceptions than it was then.

The exceptional condition of Ghent is no sufficient ground for the serious extension of a principle which must seriously compromise all our future negotiations, and give just ground of dissatisfaction to our manufacturers.

Manchester is suffering from the same causes as Ghent, and with quite equal intensity, and to whatever extent the productive power of the latter will be impaired, it may be presumed that the competing power of the former will be equally diminished.

Board of Trade,
28 August 1862.

App. No. 6.

No. 55.

Mr. *Layard* to Mr. *Booth*.

Foreign Office, 29 August 1862.

MR. LAYARD presents his compliments to the Secretary of the Board of Trade, and is directed by Earl Russell to transmit to him, to be laid before the Lords of the Committee of Privy Council for Trade, the accompanying copy of a letter which has been addressed to his Lordship by the Belgian Minister for Foreign Affairs, containing a request for certain concessions in connection with the Anglo-Belgian Treaty.

Enclosure 1, in No. 55.

M. *Rogier* to Earl *Russell*.

Milord, Londres, le 28 Août 1862.

VOTRE Excellence connaît les circonstances qui nous ont permis d'obtenir la vote du Traité Anglo-Belge, presque sans opposition de la part de nos Chambres et même de la ville de Gand, dont on redoutait surtout l'agitation dans la position critique où se trouve la grande cité Flamande.

Les Chambres, répondant à l'appui du Gouvernement, ont voulu donner, par leur vote presque unanime, une marque non équivoque d'adhésion et de sympathie politique au Gouvernement Britannique.

Quant à la ville de Gand, la résignation dont elle a fait preuve ne s'explique que par l'espoir qu'elle a conçu d'obtenir certaines modifications au Traité, en ce qui concerne les fils de coton simples et une catégorie de legers.

En présence de la bonne attitude de la ville de Gand et de la modération de ses prétentions, le Gouvernement Belge n'a pas hésité à promettre de faire auprès du Gouvernement Sa Majesté Britannique une démarche pressante pour atteindre le but désiré.

En agissant ainsi, le Gouvernement Belge n'a pas eu un seul instant la pensée de remettre en question le Traité lui-même, mais il a considéré qu'il serait d'un intérêt très notable pour les deux pays d'établir leurs relations commerciales et industrielles sur des bases très libérales, sans l'opposition et même jusqu'à certain point avec l'adhésion de ceux-là même qui redoutaient le plus vivement et combattaient le plus énergiquement la concurrence des produits Anglais.

Il dépend entièrement de votre Excellence que cette harmonie aussi heureuse qu'inespérée ne soit pas troublée.

Au point de vue industriel, la concession que nous demandons n'est rien pour l'Angleterre, et à vrai dire ce n'est pas grand chose non plus pour la ville de Gand (c'est un remède moral plus que réel appliqué à un malade qui souffre); mais au point de vue politique, une marque de bienveillance de la part du Gouvernement Anglais répondant au bon

App. No. 6.

bon vouloir et à la confiance des Chambres Belges, serait d'un effet du plus précieux pour les bonnes relations des deux pays.

Ce bon vouloir le Gouvernement Anglais l'a montré à la France en consentant à ajourner à 1864 l'application du Tarif Anglo-Français pour un très grand nombre d'articles, au sujet desquels l'industrie Française s'alarmait.

Dans le Traité Anglo-Belge nous n'avons demande d'atermoiements que pour un ou deux articles spéciaux. Nous réclamons aujourd'hui la même faveur pour un ou deux autres, en offrant des compensations que nous voulons rendre aussi complètes que possible.

Je conserve l'espoir que votre Excellence, dont j'ai pu apprécier l'esprit pratique et conciliant, voudra bien prendre en sérieuse considération les observations qui précèdent, et je saisis, &c.

(signé) *Ch. Rogier.*

No. 56.

(Immediate.)

Mr. *Layard* to Mr. *Booth.*

Mr. Layard presents his compliments to the Secretary to the Board of Trade, and is directed by Lord Russell to transmit to him, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a letter from M. Van de Weyer, enclosing a memorandum of the fresh proposals made by the Belgian Government in connexion with the Tariff annexed to the Treaty.

Enclosure 1, in No. 56.

M. *Van de Weyer* to Earl *Russell.*

50, Portland Place, le 29 Août 1862.

Le Ministre de Belgique présente ses compliments à son Excellence le Comte Russell, et s'empresse de faire parvenir ci-joint à sa Seigneurie les nouvelles propositions du Gouvernement du Roi.

Le Ministre de Belgique saisit, &c.

Enclosure 2, in No. 56.

Memorandum.

Les propositions que le Gouvernement Belge soumet au Governement Anglais ne concernent que deux articles du Tarif,—les fils de coton simples, écrus ou blanchis, et la catégorie spéciale de tissus, désignés sous la dénomination de piqués, basins, façonnés, damassés, et brillantés.

C'est par suite d'une erreur qu'il importe de rectifier dès le principe, que le Board of Trade a cru que les concessions demandées s'étendraient à tous les tissus de coton; les droits différentiels ne s'appliqueraient qu'à la catégorie très restreinte qui est mentionée plus haut.

Ils n'auraient qu'une durée de deux ans et le Gouvernement Belge est disposé à les réduire de manière que les piqués, basins, façonnés, damassés et brillantés de provenance Anglaise n'auraient à acquitter pour la première année qu'un droit de 20 pour cent au lieu de 15 pour cent, et pour la seconde 18 pour cent au lieu de 15 pour cent. Cette surtaxe ainsi atténuée serait compensée par une concession importante que le Gouvernement Belge ferait sur les fils de coton.

En effet, il propose comme combinaison nouvelle le Tarif suivant :—

Nos.	Droit Actuel.	1re Année	2me Année.	Droit Définitif.
	Fr. c.	c.	c.	c.
20,000 et au-dessus -	1 ·01	0·22	0·20	0·15
20,000 à 30,000 - -	1 ·01	0·30	0·25	0·20
30,000 à 40,000 - -	1 ·01	0·45	0·35	0·30
40,000 à 65,000 - -	1 ·01	0·60	0·50	0·40

Au dessus de 65,000, libre (droit de balance, 10 c.)

L'avantage de ce tarif au point de vue de l'industrie Anglaise c'est que les droits seraient supprimés, pendant toute la durée du traité, pour tous les fils de numéros dépassant 65,000; tandis que la légère surtaxe établie sur ceux de numéros qui n'atteignent pas 65,000, n'aurait qu'une durée temporaire de deux ans avec une altération marquée dès la seconde année.

Cette faveur est considérable, soit qu'on l'examine dans le présent, soit qu'on l'apprécie au point de vue des résultats qui ne peuvent manquer de se produire dans l'avenir.

Déjà aujourd'hui la consommation des fils dépassant le No. 65 est assez grande en Belgique, mais cette consommation se développera nécessairement dans une très forte proportion par suite de la suppression complète des droits. Les filateurs Belges en renonçant à la fabrication de ces fils font un notable sacrifice, qui ne compense que très incomplètement la légère surtaxe temporaire demandée pour les numéros moins élevés. On ne doit pas perdre de vue en effet que dans la situation actuel de l'industrie cotonnière, la concurrence, des filatures Anglaises offre peu de danger pour la Belgique, et que cette situation se maintiendra probablement pendant toute la durée du régime transitoire appliqué aux fils communs. Les droits différentiels de ce régime seront donc plutôt nominaux que réels, tandis qu'il en sera tout autrement de la concession destinée à permettre à libre entrée des fils dépassant le No. 65, accordée à titre permanent et devant par conséquent produire ses effets lorsque l'industrie cotonnière, sortie de la crise actuelle, aura répris tout son développement; elle ouvrira aux filatures Anglaises un marché important où aucune concurrence ne pourra lutter contre elles.

En somme, les nouvelles propositions du Gouvernement Belge consistent en ceci: Liberté complète et définitive accordée à une catégoire importante de produits de l'Angleterre (fils dépassant le No. 65,000), et comme compensation, surtaxe temporaire et légère de deux ans—

1. Sur certain tissus (piqués, basins, façonnés, damassés, et brillantés).

2. Sur les fils de coton, simple et écrus, de 65,000 mètres et au-dessous.

A quelque point de vue qu'on examine ces propositions on est amené à conclure qu'elles ne peuvent avoir pour effet, quant à la Belgique, que de satisfaire un intérêt moral, en déterminant une adhésion plus complète à un Traité, qui, on ne doit

doit pas le cacher, a soulevé de nombreuses objections.

Pour l'Angleterre par contre ces propositions auront des résultats permanents et réels, d'abord en ouvrant le marché Belge à une nombreuse catégorie de produits de la Grande Bretagne qui jusqu'ici n'y avaient qu'un accès limité et en prouvant par l'expérience même que la suppression des droits de douane n'expose pas aux dangers que redoutent les industriels habitués au régime protecteur.

No. 57.

Memorandum by Mr. *Booth*.

The present proposition is less unfavourable to this country than the preceding one.

As regards cotton threads, instead of proposing a differential duty in favour of France, equal in amount to the duty under the treaty for the first year, it proposes a differential duty of half that amount, and for the second year it proposes a corresponding diminution of the differential duty previously proposed. To these will have to be added the increased differential duties imposed by Article XXII. of the Treaty.

First Year.

20 c.	instead of	30 c.	The Treaty duty being	15 c.
30 c.	„	40 c.	„	20 c.
45 c.	„	60 c.	„	30 c.
60 c.	„	80 c.	„	40 c.

Second Year.

20 c.	instead of	25 c.	The Treaty duty being	15 c.
25 c.	„	30 c.	„	20 c.
35 c.	„	45 c.	„	30 c.
50 c.	„	60 c.	„	40 c.

On the other hand, it proposes that the entire exemption from duty during the whole period of the treaty should commence at the number above 65, instead of above 70.

What may be the amount of advantage to our trade which the free admission of our cotton threads beyond 65 may afford, or whether it will be at all commensurate with the disadvantage arising from the proposed increase of duty on the lower numbers, I am not sufficiently acquainted with the details of the trade to be able to form any probable estimate. It must be borne in mind, too, that whatever advantage we derive from the admission free of the higher numbers is shared by France; so that as between this country and France we are subjected to the differential duty or the two years without any equivalent.

I am willing, however, to believe that the admission free of the higher numbers, as now proposed, may offer some advantage to our trade; and although I would rather that the treaty stood as at present, yet if there be any political considerations to render some concession desirable, we might perhaps, as regards this branch alone, yield to the pressing instances of the Belgian Minister.

It is, however, further proposed that with regard to certain classes of cotton tissues, viz., "piqués, basins, façonnés, damassés, and brillantés," there should for two years be an increase of the duty fixed by the treaty, also differential in favour of France; and although the differential duty now proposed (20 per cent. instead of 22½ per cent. the first year, 18 per cent. instead of 20 per cent. the second year) is something lower than what was proposed in the first proposition, I still see no ground upon which it can reasonably be asked.

If, as I presume is the case, the higher number of cotton threads enter more largely into the piqués, basins, &c., the weaving trade of Belgium will, in their competition with us, have the advantage (whatever it may be) arising from the free entry of the higher numbers of cotton threads, and the duty fixed by the treaty (15 per cent.) will afford a reasonable amount of protection to the Belgian weavers; whilst as a differential duty in favour of France the additional duty will be particularly objectionable, as it is in this class of tissues that she may especially be expected to enter into competition with us.

Upon this second branch of the new proposition (which seems to have no necessary connection with the other), I do not think that we ought to give way.

(signed) *James Booth*.

Board of Trade, 30th August 1862.

No. 58.

Mr. *Murray* to Mr. *Booth*.

Foreign Office,
Sir, 2 September 1862.

I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, six printed copies of a Treaty of Commerce and Navigation between Her Majesty and the King of the Belgians, signed at London on the 23d of July last, the ratifications of which were exchanged on the 30th ultimo by Lord Russell and the President of the Board of Trade with the Belgian Minister.

Lord Russell will cause a copy of the treaty to be published in the "Gazette" of this evening.

I am, &c.
(signed) *James Murray*.

CORRESPONDENCE between the Board of Trade and the Foreign Office respecting the Negotiation of a COMMERCIAL TREATY between *Great Britain* and *Italy*.

App. No. 6.

No. 1.

Mr. *Layard* to Sir *J. Emerson Tennent*.

Foreign Office,
Sir, 31 January 1862.

I AM directed by Earl Russell to transmit to you herewith a copy of a Despatch from Her Majesty's Minister at Turin, reporting that negotiations are going on between Italy and France for the conclusion of a commercial treaty on free trade principles, and I am to request that, in laying the same before the Lords of the Committee of Privy Council for Trade, you will move them to inform Lord Russell whether they consider that it would be desirable, in consequence, that Her Majesty's Government should take any, and what, steps with regard to the commercial relations between this country and Italy.

I am, &c.
(signed) *A. H. Layard.*

Enclosures in No. 1.

Sir *J. Hudson* to Earl *Russell*.

My Lord, Turin, 25 January 1862.

THE Chevalier Scialoia, Under Secretary of State in the department of Finance, left this city for Paris some weeks ago, in order to discuss the preliminaries of a treaty of commerce between the empire and the kingdom of Italy.

I understand that the bases of the proposed treaty have been accepted by the respective plenipotentiaries, and that they have in view an extension of the commercial relations of the two countries on the principle of free trade.

As your Lordship is aware that the principle asserted by this country in its commercial treaties is fiscal, and not protective, I anticipate in the mutual advantages which are expected from the negotiations at Paris, a general increase in Italian commerce, trade and navigation, and consequently a particular advantage to Her Majesty's subjects trading with this country.

I have, &c.
(signed) *James Hudson.*

No. 2.

Sir *J. Emerson Tennent* to Mr. *Layard*.

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 18 February 1862.

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 31st ultimo, transmitting, by direction of Earl Russell, a copy of a Despatch from Her Majesty's Minister at Turin, reporting that negotiations have been going on for some weeks in Paris between the governments of Italy and France for the conclusion of a commercial "treaty on free trade principles," and requesting the opinion of this Board whether it would be desirable, in consequence, that Her Majesty's Government should take any, and if so what, steps with regard to the commercial relations between this country and Italy.

In reply I am directed to request that you will state to Lord Russell, that it will be, in the opinion of my Lords, a subject of regret if any revision of the Italian tariff which may result from negotiations now in progress between the Governments of France and Italy should be completed without any reference to the special requirements of British trade.

The present Italian tariff, although in many respects a liberal one, is nevertheless open to considerable improvements in some particulars, and my Lords cannot but fear that any changes which are made at the instance of France will be less favourable to British interests than if they had been the result of negotiations with Her Majesty's Government, or of legislation undertaken on independent national grounds.

Earl Russell will recollect that towards the close of the year 1860, Sir John Bowring was authorised by his Lordship to make representations to the Government of Italy on this subject, and that for this purpose he was furnished with information prepared in this department as the basis of negotiations on the part of Her Majesty's Government, having for their object the improvement of the commercial relations of this country and the Italian kingdom.

My Lords are not aware whether this mission was attended with any result, or whether any steps have since been taken to bring under the notice of the Government at Turin the requirements of British trade.

On this point, as well as on the nature of the probable arrangements between France and Italy, my Lords would have been glad, if possible, to receive more information; but if no such steps have been already taken, they fear that having regard to the stage which the negotiation between France and Italy appears to have reached, that the Italian Government might find it difficult at the present time to entertain proposals for tariff modifications on the part of Her Majesty's Government.

If, however, Lord Russell is of opinion that a representation of this nature could still be made with a prospect of practical advantage, my Lords will lose no time in communicating with the commercial bodies in this country, and in preparing a statement of the changes in the Italian tariff which are required to place this branch of trade on a more satisfactory footing.

In any case my Lords are of opinion that a new treaty of commerce and navigation should be proposed to the Government of Italy in substitution for the treaties of 27th February 1851, and 29th

29th April 1845, now subsisting between this country and Sardinia and the Two Sicilies respectively, several of the stipulations contained in them being imperfect, and unsuitable to existing circumstances.

The 11th article of the treaty with Sardinia of February 1851 is the conditional form of the most favoured nation article; and although my Lords presume that the Italian Government would not hesitate to admit the claim of this country to a full share of any commercial privileges granted to any third country, it would be more satisfactory to them that a distinct assurance upon this head should be sought by Her Majesty's Government, and that the unconditional form of the stipulation should be substituted for that now in force in any new treaty which may be concluded with the kingdom of Italy.

I am also to request that you will take this occasion to call the attention of Earl Russell to the general question of the policy which it is desirable that Her Majesty's Government should adopt with regard to the commercial relations between this country and those foreign States with which France is about to negotiate commercial treaties with a view to effect a revision of their tariffs.

At the request of his Lordship, draft treaties of commerce were prepared in this department during the course of the years 1860 and 1861, for the purpose of being proposed to the Governments of Austria, Spain, Portugal, and Prussia; but, except in the case of the latter country, my Lords are unaware whether any steps have been taken to commence their negotiation.

So far, therefore, as this Board is aware, no attempt has yet been made by Her Majesty's Government to anticipate the negotiations which either have been, or may be shortly expected to be, set on foot by France with these and other countries.

My Lords are of course unable to form any opinion as to the obstacles which may oppose such attempts, or as to their probable success at the present time, but they cannot express too strongly their apprehension, if during the revision of foreign tariffs which appears to be the inevitable consequence of the policy which has been adopted by France, British interests are not carefully watched and strongly represented, that not only an opportunity may be lost, which may not be recovered for years, of securing for them important advantages, but that in some cases they may even sustain positive or relative injury from the changes which may be made in existing international arrangements.

To prevent these consequences it is of the highest importance that all the information which can be obtained connected with negotiations commenced by the principal commercial countries should reach Her Majesty's Government before they have arrived at a stage which may (as they fear is the case with respect to those between France and the Zollverein and Italy respectively) seriously diminish the prospect of successful representations on the part of this country.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 3.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 21 February 1862.

I AM directed by Earl Russell to request that you will acquaint the Lords of the Committee of Privy Council for Trade, with reference to that part of your letter of the 18th instant which relates to the negotiation of Treaties of Commerce and Navigation with the Italian Kingdom, that he is prepared to instruct Her Majesty's Minister at Turin to enter into communication with the Italian Government on the subject so soon as his Lordship shall receive from the Board of Trade drafts of the treaties which the Board consider right and proper to be proposed, together with any observations and suggestions which they may desire to offer; and so soon also as he shall have received from the Associated Chambers of Commerce in this country, to whom, by his Lordship's directions, I have addressed the letter of which a copy is enclosed, a statement of their views as to the points which should be pressed on the Italian Government.

I am to add that Lord Russell has received no report from Sir John Bowring of the result of his inquiries into matters affecting the commerce between this country and Italy.

Lord Russell will direct me to reply, in a further letter, to the general observations contained in your letter of the 18th instant.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 3.

Mr. *Hammond* to the Associated Chambers of Commerce.

Foreign Office,
Gentlemen, 21 February 1862.

I AM directed by Earl Russell to acquaint you that Her Majesty's Government are informed that certain negotiations which have recently commenced between France and Italy have so far advanced as to render it probable that a Treaty of Commerce on Free Trade principles and a Treaty of Navigation will shortly be concluded between those countries.

As regards the former, Her Majesty's Government understand that the tariff arrangements recently concluded between France and Belgium have been accepted in principle by the Italian Government.

Her Majesty's Government are of opinion that the time has now arrived for endeavouring to place the commercial relations between this country and the Italian Kingdom on a sound footing, and they are prepared to instruct Her Majesty's Minister at Turin to propose to the Italian Government to enter into a negotiation for that purpose.

Such negotiation, if brought to a satisfactory conclusion, would in all probability involve a revision in various material points of the tariff rates now levied on British commerce, and a removal of impediments to British navigation.

Lord Russell considers that a knowledge of the opinions entertained by the Chambers of Com-

App. No. 6.

merce in this country on these matters would be of great service to Her Majesty's Government in determining the points to be pressed on the Italian Government, with a view to the extension of British trade and navigation; and such information would be the more valuable if it could be coupled with statements showing that the concessions asked for will not only benefit British, but will also advance the interests of Italian, trade and navigation.

I am therefore to say that Lord Russell would be much obliged to the Associated Chambers of Commerce for any assistance which they may be willing to render Her Majesty's Government in this matter.

I am, &c.
(signed) *E. Hammond.*

No. 4.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 22 February 1862.

I HAVE laid before Earl Russell your letter of the 18th instant, in which, with reference to a communication from this department of the 31st ultimo, on the subject of a negotiation between France and Italy for the conclusion of a new Treaty of Commerce, you state the opinion of the Lords of the Committee of Privy Council for Trade, that that negotiation should not be suffered to come to a close without steps being taken to bring before the Italian Government the requirements of British trade. You also advert to the drafts of new Treaties of Commerce with Austria, Spain, Portugal, and Prussia, which were prepared at the Board of Trade in the course of the years 1860 and 1861.

With regard to the negotiation between Italy and France, Lord Russell directs me to refer you to my letter of yesterday.

With reference to the desire of their Lordships to be furnished with all the information that can be obtained respecting the negotiations commenced by France with the other principal commercial powers of the continent, Lord Russell desires me to say that every communication of interest on that important subject, which has reached this department, has been from time to time transmitted to the Board of Trade.

The reason why the drafts of Treaties of Commerce with Austria, Spain, and Portugal have not been formally proposed to the Governments of those countries is, that Lord Russell was of opinion, from the communications which reached him, that there would have been no chance of success; and it seemed to him unadvisable to make the proposition with a certainty of refusal.

The Lords of the Committee are of course aware that France and Great Britain have, in their commercial arrangements, gone upon different principles. The Government of France made concessions to Great Britain for certain reciprocal advantages; but France did not make similar concessions to other countries, and is now making them by way of bargain.

Great Britain gave to Austria, Spain, Germany, and Portugal, all that she gave to France, and she has now no concession to offer, so that it is of very little use to recommend concessions except to those countries which are ready to prefer free trade to protection.

I am, &c.
(signed) *E. Hammond.*

No. 5.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 17 April 1862.

WITH reference to my letter of the 21st February last, requesting that you would move the Lords of the Committee of Privy Council for Trade to prepare drafts of Treaties of Commerce and Navigation with the Italian Kingdom, such as the Board may consider right and proper to be proposed, I am directed by Earl Russell to enclose herewith, to be laid before their Lordships, an extract of a Despatch from Her Majesty's Minister at Turin, stating that the Italian Government are about to send Count Emanuel Marliani to this country, for the purpose of negotiating a commercial treaty between Great Britain and Italy; and I am accordingly to request that you will move their Lordships to forward to Lord Russell, at the earliest convenience, the drafts which they may have prepared in pursuance of my above-mentioned letter.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 5.

Sir *J. Hudson* to Earl *Russell.*

(Extract.)
Turin, 13 April 1862.

I HAVE the honour to acquaint your Lordship that the Italian Government being desirous of concluding a commercial treaty with Great Britain, intend to charge Count Emanuel Marliani with a mission to that effect, and that the Count will leave Italy for London about the 25th instant.

The negotiations which have been on foot here for some time past between this Government and the Swedish negotiator, Count Hockschield, proceed but slowly.

Signor Manna, of Naples, who conducted them on the part of this Government, having proceeded to Naples on other business, has been succeeded as negotiator, by the Marquis Pepoli, the Minister of Agriculture and Commerce.

No. 6.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of Privy Council for Trade,
Sir, Whitehall, 24 April 1862.

IN compliance with the request of Earl Russell contained in your letter of the 17th instant, I am directed by the Lords of the Committee of Privy Council for Trade to transmit to you, to be laid before his Lordship, the enclosed draft of a Treaty

Treaty of Commerce and Navigation which, in the opinion of this Board, may serve as a basis of negotiation with the Italian Government.

I am to add, with reference to your statement that Count Marliani is about to arrive in London for the purpose of opening such a negotiation, that it is important that my Lords should be furnished, at the earliest possible moment, with a copy of the treaty and tariff which is in course of arrangement between the Italian and French Governments at Paris; and I am to add that they would be glad to receive some information as to the progress of the negotiation in question, either from Her Majesty's Ambassador at Paris or from Her Majesty's Minister at Turin.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 7.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 24 April 1862.

I AM directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, copies of replies* which have been received from various Chambers of Commerce to the letter requesting to be informed of their views on the subject of negotiations for a Commercial Treaty with Italy, a copy of which was enclosed in my letter of the 21st February last.

I am, &c.
(signed) *E. Hammond.*

No. 8.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 3 May 1862.

WITH reference to my letter of the 24th ultimo, I am directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of the reply† which has been received from the Huddersfield Chamber of Commerce relative to the proposed Commercial Treaty with Italy.

I am, &c.
(signed) *E. Hammond.*

No. 9.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 19 May 1862.

I AM directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a Despatch from Her Majesty's Ambassador at Paris, enclosing a Memorandum by Mr. Grey on the Treaty of Commerce and Tariff now under negotiation between the Governments of France and Italy. App. No. 6.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 9.

Memorandum.

THE negotiations between the Governments of Italy and France for a Commercial Treaty and a Treaty of Navigation being still pending, no copy of either can be given. The following, however, are the general basis of the negotiations:—

Treaty of Commerce.

Extension to Italy of the advantages conceded by France to England and to Belgium in the Commercial Treaties lately concluded.

The Franco-Belgian Tariff adopted in general.

There are, however, certain specific reductions on certain articles.

Tissues of Silk.—Reduction of the duty from 10 francs to 3 francs. This reduction was agreed to with some difficulty by the Cabinet of Turin; but they have ceded the point on condition that the reduction shall take place gradually.

The Turin Government wish to fix the year 1870 for the period by which the reduction shall have been effected.

The French Government wish to obtain a shorter delay, and this point is still in abeyance.

Tissues of Wool.—In place of the existing duty of 1 franc 60 centimes per kilogramme, it is proposed to establish an *ad valorem* duty of 15 per cent. for the present, and at a future period (to be hereafter determined) of 10 per cent., on condition that these duties shall never exceed the present duty of 1 franc 50 centimes per kilogramme. This question is still undecided, and the Italian Plenipotentiaries have referred to Turin for further instructions.

A reduction is granted by France upon oils, rice, fruits, &c., abolition by France of the export duty on coals.

The French Government were desirous of obtaining the abolition of the export duties upon articles the produce of Italy, particularly on those levied on olive oil and sulphur; but the Italian Government, while recognising the value of the principle, state the impossibility of admitting it into a treaty. If agreed to, it must be effected by a law.

The Italian Government are on their part desirous of negotiating an article similar to Article XXXVI of the Franco-Belgian Treaty relating to the official quotation of stock on the respective exchanges of the two countries. This however is objected to by the French, and I have been informed that this point is the principal cause of delay in the conclusion of the treaty.

Navigation Convention.

"Traitement national" for direct commerce in the Mediterranean, Algeria included.

Reciprocal concession of the "commerce d'escale" and "cabotage" in the Mediterranean, Algeria included; to be however carried on exclusively in steam-vessels. The reason of this is, that before the annexation of Tuscany, the two Sicilies, &c., to Piedmont, the French steamers touching

* These replies are not printed, inasmuch as they have no immediate bearing on the inquiry of the House of Commons Committee.

† This enclosure is not printed.—*See* Note, No. 7.

App. No. 6.

touching at Leghorn, Genoa, Naples, &c., carried on a trade from one country to another. When the kingdom of Italy was established this trade became "cabotage," and the French Government asked that it should be allowed to continue. In the Atlantic no coasting trade is admitted at all in the present treaty.

Reduction by one-half of the duty on the Italian boats engaged in the Coaral fishery on the coast of Algeria.

Nothing changed with respect to the fishery ("la pêche"). M. Rouher seems to have made some declaration to the effect that the new treaty would contain some new regulations on this head. But no change appears to be in contemplation.

(signed) *W. G. Grey.*

No. 10.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 26 May 1862.

With reference to my letter of the 19th instant, I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a further despatch from Her Majesty's Ambassador at Paris, enclosing a second memorandum by Mr. Grey on the subject of the commercial negotiations pending between France and Italy. Lord Russell requests that their Lordships will furnish him with any proposals that they wish to be made to the Italian agent now here.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 10.

Notes on the Commercial Treaty between France and Italy.

The tariff for imports from Italy to France is entirely based on the Franco-Belgian Tariff, with a few exceptions in favour of special products of Italy, such as olive oil, preserved fruits, oranges, lemons, &c. Some of the changes in the old tariff introduced by the new treaty are as follows:

Peaux vernies - - -	100 francs per 100 kilogrammes.
„ maroquinées - -	80 „ „
„ de mouton teintes - -	45 „ „
Autres - - - - -	15 „ „
Gants de peau - - -	5 per cent. *ad valorem.*
Bois feuillards et merrains -	Free.
Gallique - - - -	Free.
Chapeaux de paille - -	10 francs per 100 kilogrammes. (instead of 25 centimes each).
Cidre - - - - -	25 centimes per hectolitre.
Huiles d'olive - - -	3 franc sper 100 kilogrammes.
Pâtes d'Italie - - -	3 francs le quintal „ (instead of 10 francs).

It seems that the Italian Government maintain their export duty of one franc on sulphur and oils of all kinds. The French Government endeavoured to obtain the remission of this, but failed.

Tariff of Import Duties into Italy.

Generally speaking, the old Italian tariff for "metallurgie" was liberal; very little change has been made in it, and the Italian Government have promised to maintain it, but in cases where the Italian tariff was higher than the French, reductions have generally been made.

The new tariff specifies the duties as they are to be with the "additional duty" included, so that the duties may become invariable, and not subject to the fluctuations, which had been found very inconvenient.

The only change is most of the classes of iron is the specification of the additional duty, as, for instance, the duty on "Fer de première fabrication," which was five francs, plus the additional duty, and on "Fer simple de seconde fabrication," which was 10 francs, plus the additional duty, is fixed by the new tariff at five francs 75 centimes, and 11 francs 55 centimes per 100 kilogrammes.

In the case of rails, however, a reduction is made from five francs to one franc 15 centimes per 100 kilogrammes.

For "Fils de fer," there are three classes of duty in the French tariff, of which the lowest is seven francs, and the highest 13 francs per 100 kilogrammes. The Italians have only one class with a uniform duty of eight francs 10 centimes. The average is favourable to France, and no change has been made.

The duty on steel in bars was 12 francs, plus the additional duty; by the new tariff, with the additional duty included, it is fixed at 13 francs 85 centimes, which in fact represents the same thing, but is not subject to variation.

For Copper.—The Italian tariff was somewhat higher than the French. It has in general been maintained, with the exception of—

	Old Tariff.	New Tariff.
	Plus additional duty,	Per 100 kilos.
Cuivre en laiton doré ou argenté, en lingots.	50 francs	34·65 francs.
Cuivre en laiton doré ou filé sur fils ou soie.	85 „	98·15 „

In France the duty for these is 100 francs per 100 kilogrammes.

For Zinc.—The French duties as fixed by the Franco-Belgian Tariff are adopted. The duty on rolled zinc was six francs, plus the additional duty; in 1864 it will be four francs per 100 kilogrammes.

For Lead.—The Italian tariff was higher than the French, but will, like the French, be reduced to three francs in 1864.

In the case of tin, the French duties are also adopted.

On cadmium, mercury, bismuth, the duty was formerly 6, 10, and 20 francs respectively. The two first are to be now free, and the third six francs.

For "steel manufactures," the old tariff was lower than the French, and is generally speaking maintained. The only article under the head of steel in which the Italian tariff was higher than the French was—

Surgical

Surgical instruments, the duty on which is reduced from 20 francs to 10 francs.

Under the heads of Metaux Divers and "Fontes ouvrées garnies de métaux," there is no change beyond the insertion of the additional duty as above.

The duty on "Toiles métalliques en fer ou en acier" is to be reduced from 50 francs to 15 francs immediately, and to 10 francs in 1864.

Machinery and Mechanical Instruments.—The old Italian tariff as regards these was much lower than the French. The Italians have a duty of one per cent. *ad valorem*, while the French have duties varying from six to 50 francs per 100 kilogrammes. This undergoes no change. Under the head of "machines and mécaniques non dénommées *ad valorem* 1·15 per cent." the following note is made in the tariff:

"*N. B.*—Le Gouvernement Italien se réserve la faculté de dénommer dans le tarif les machines non dénommées et de les assujetir à des droits spécifiques, qui en tout cas ne pourront dépasser les droits établis dans le Tarif Français."

For textile fabrics, the old tariff is generally maintained, but a few of the changes are as follows:—

	New Tariff.
Tissus de lin, teints oufabriqués—	
Avec des fils teints ayant moins de 6 fils.	38 francs per 100 kilogrammes.
Avec des fils teints au dessus de 6 fils.	30 francs per 100 kilogrammes.
Jute—not yet determined.	
Coton, filé, écru, simple, retors de numéro quelconque—	
Tissues of cotton, cotton velvet Laines en masses et teintes	For all these there is no change beyond the specificationor insertion of the additional duty.

With regard, however, to tissues of wool, there was a difficulty which I believe was finally settled in conference yesterday, though this head has not yet been filled up in writing in the tariff. For tissues of wool the Italian tariff was much higher than the French. The former had one fixed duty of 1 franc 40 centimes, without distinction, so that coarse and fine tissues paid equally. The French pressed the adoption of their *ad valorem* duty of 15 per cent. now, and of 10 per cent. in 1864. This, I believe, has been verbally agreed to, and may be looked upon as settled.

	New Tariff.
Tissues of pure silk, 1 October 1862	9 francs per kilogramme.
Ditto - - 1 October 1864	6 ,, ,,
Ditto - - 1 October 1867	3 ,, ,,
Tissues de bourre de soie, 1 Oct. 1862	8 ,, ,,
Ditto - - 1 October 1864	6 ,, ,,
Rubans de soie ou de velours, 1 October 1867.	3 ,, ,,
Rubans de soie ou de velours, 1 October 1862.	9 ,, ,,
Rubans de soie ou de velours, 1 October 1864.	7 ,, ,,
Rubans de soie ou et velours, 1 Oct 1867.	5 ,, ,,
Autres - - 1 October 1862	9 ,, ,,
Ditto - - 1 October 1864	8 ,, ,,
Melangés - - - - -	10 per cent. *ad valorem*.
Foulards écrus, imprimés, ou teints, 1 October 1864.	3 francs per kilogramme.
Tulles et dentelles - - -	5 per cent. *ad valorem*.
Tissus, passementeries, dentelles, avec or ou argent fin.	11·55 francs p' kilogramme.

Produits Chimiques.—There is a great reduction under this head. The duty on most of the articles which used to be at 10 francs is now reduced to 4 francs and 2 francs; for instance, on iodine and brome from 10 francs to 2 francs, nitrate of potash free, lemon juice free. "Non dénommés" pay a duty of 4 francs per kilogramme.

Glaces—brutes - -	8 francs per 100 kilogrammes (instead of 25 francs).
,, polies, non etamés	15 francs per 100 kilogrammes (instead of 25 francs).
,, étamées - -	25 francs per 100 kilogrammes (instead of 25 francs).

The several catagories of "glaces" in the old Italian tariff are now done away with.

Objets en Verre.

	1862.	1864.
	Fr. c.	*Fr. c.*
Non coloriés - - Non taillés - -	6 0 per 100 kilos.	5 0 per 100 kilos.
Taillés - - - Coloriés - - -	8 0 ,,	7 0 ,,
Verre à vitre - -	7 0 ,,	5 0 ,,
Porcelaine blanche -	15 0 ,,	12 0 ,,

Articles Divers.

Fleurs artificielles - - -	5 fr. per kilo., plus 5 per cent. *ad valorem*.
Objets de mode - - -	5 fr. per kilo., plus 5 per cent. *ad valorem*.
Tresses en paille de toute sorte	5 fr. per 100 kilos.
Chapeaux de paille - - -	Free.
Caoutchouc and gutta-percha en fils pour machines et courroies.	4 fr. 60 c. per 100 kilos.

There does not appear to be any further change in articles under this head.

To judge by M. Herbet's language, the treaty will now very soon be concluded and signed. The question of the "cotes des valeurs" is not yet decided, but he did not seem to apprehend any serious difficulty on this point. Till the treaty is signed, M. Herbet said that no copy of it could be given, but he said he was quite ready to give any verbal information regarding it, or to answer any specific questions that might be put to him.

Paris, 17 May 1862.

(signed) *W. G. Grey.*

No. 11.

Mr. *Hammond to* Sir *J. Emerson Tennent.*

Sir, Foreign Office, 7 June 1862.

I AM directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a memorandum which has been placed in his Lordship's hands by the Marquis d'Azeglio, enumerating certain articles on which the Italian Government desire a reduction or abolition of duty in the new Commercial Treaty between Great Britain and Italy at present under consideration, and I am to request that you will move the Lords of the Committee to inform Lord Russell what reply should be given on these points to the Marquis d'Azeglio and M. Marliani.

I am, &c.

(signed) *E. Hammond.*

App. No. 6.

Enclosure in No. 11.

MEMORANDUM.

AINSI qu'il a été convenu dans l'entrevue que le Marquis d'Azeglio et le Commandeur Marliani ont eu au Foreign Office le 26 courant avec Lord Russell et Mr. M. Gibson, les soussignés ont l'honneur de résumer promemoriâ les Articles sur lesquels le Gouvernement Italien désirerait obtenir une réduction de droits ou bien même l'exemption de tout droit.

Réduction:—Papier, carton mince, eau de vie, genièvre, rhum importé du pays de production, rhum d'ailleurs, tafia, vins divers;

Droits actuellement perçus à la sortie des entrepôts Anglais autorisés ou libres sur les produits et marchandises de provenance Italienne, destinés à la consommation intérieure du Royaume Uni.

Exemption de Droits:—Bois à bruler, bois cercles, bois equarre, bois à lattes, bois manches de pelles, bois merrains, bois d'ébénistérie; céréales, grains, farines, et articles similaires; fruits secs, ou confits au sucre; orfèvrerie d'argent et vermeil; orfévrerie d'or; vinaigre; conserves au vinaigre; cerises séches, confiserie et patisserie sucrée, confitures séches, gingembre, confit, marmelades, pâtes d'amande, prunes confites.

Les soussignés seront heureux de recevoir les renseignements demandés sur ces divers points qui leur permettront, en se formant une opinion plus correcte, de rendre plus faciles les négociations pour la révision du Traité de Commerce et de Navigation entre les deux Gouvernements.

Ils ont l'honneur par conséquence de s'adresser à la bienveillance du Comte Russell, en le priant d'agréer, &c.

(signé) *V. E. D'Azeglio*
E. M. Marliani.

23, Park-lane, Londres, le 30 Mai 1862.

No. 12.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 13 June 1862.

WITH reference to my letter of the 21st February last, I am directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a communication* from the Liverpool Chamber of Commerce, on the subject of the proposed Commercial Treaty with Italy.

I am, &c.
(signed) *E. Hammond.*

No. 13.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 14 July 1862.

WITH reference to Mr. Hammond's letter of the 26th ultimo respecting the Franco-Italian Treaty, I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a letter* which has been received from the Bradford Chamber of Commerce, suggesting that the various Chambers of Commerce should be placed in direct communication with Signor Marliani.

I am, &c.
(signed) *A. H. Layard.*

* This enclosure is not printed.—*See* Note, No. 7.

No. 14.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 28 January 1863.

I AM directed by Earl Russell to transmit to you, for the consideration of the Lords of the Committee of Privy Council for Trade, copy of a Despatch from Her Majesty's Acting Chargé d'Affaires at Turin, inclosing a draft of a new Treaty of Commerce and Navigation between Great Britain and Italy.

I am, &c.
(signed) *E. Hammond.*

Enclosure in No. 14.

Mr. *West* to Earl *Russell.*

My Lord, Turin, 25 January 1863.

I HAVE the honour to forward herewith a draft of a Treaty of Commerce and Navigation which, after speaking to the Italian Ministers of Finance and Commerce, I have drawn up for the approval of Her Majesty's Government. This draft is based upon the treaty of the 27th February 1851, between Great Britain and Sardinia, and embodies the provisions, under existing circumstances, of the Treaty of 1847 with Tuscany, and the Treaty of 1845 with the Two Sicilies.

Articles I, II, III, V, VII, VIII, IX, XV, XVI, XIX, and XX of the proposed draft correspond with the Articles I, II, III, XIV, VI, V, VII, X, XII, and XVI of the Treaty of 1851.

Article IV, which relates to the transit trade, is based upon Article XI of the Treaty between Great Britain and Belgium of 1862.

Article VI is based upon Article XI of the Treaty of 1851, and is the most important Article in the proposed draft. I did not consider that this Article, as it stands in the Treaty of 1851, would entitle Great Britain to the advantages accorded to France by the Treaty lately signed at Paris, and your Lordship will therefore find it drafted in a form which will accord any advantages, privileges, favours, or immunities which have been or which may be granted by Italy to another power. By this Article, therefore, Great Britain, according reciprocity, will immediately enjoy the advantage of the reduction of duties accorded to France, and I may here state to your Lordship that I have reason to believe that the Italian Government are not unwilling that such should be the case.

Article X is based upon Article VIII of the Treaty of 1851 and Article VII of the Treaty with Belgium.

Article XI embodies provisions of the Coasting Trade Convention of 9th August 1854, and as far

far as colonial possessions are concerned, Article XII of the Treaty with Belgium.

Article XII, I have inserted after much conversation with the Minister of Commerce.

Article XIII is a substitution for Article IX of the Treaty of 1845 with Naples.

Article XVII is based upon Article XIII of the Treaty of 1851, and I have inserted the words "real" and "personal property."

In drawing up this draft I have adhered as nearly as possible to the Treaties with Sardinia, Tuscany, and the Two Sicilies, except where alterations and reference to other treaties appeared, under existing circumstances, absolutely necessary.

I think it right to call your Lordship's attention to Article XVII of the draft, which as it stands accords the right of holding real property in England to Italians.

I may in conclusion state that should this draft in substance meet with the approval of Her Majesty's Government, I do not anticipate any difficulty in the speedy conclusion of the treaty.

I have, &c.
(signed) *L. S. Sackville West.*

No. 15.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 3 February 1863.

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 28th ultimo, transmitting, for their consideration, by direction of Earl Russell, a copy of a Despatch from Her Majesty's Chargé d'Affaires at Turin, enclosing the draft of a new Treaty of Commerce and Navigation between Great Britain and Italy; and I am directed to request that you will submit to his Lordship the following observations:

On the 24th April last, in compliance with Earl Russell's request, contained in your letter of the 17th of that month, my Lords transmitted to you the draft of a Treaty of Commerce and Navigation which they had caused to be prepared, and which, in their opinion, might serve as the basis of negotiation with the Italian Government.

My Lords are unaware of the reasons which have led Earl Russell to substitute for that draft treaty the draft treaty which has been prepared under his Lordship's instructions by Her Majesty's Chargé d'Affaires at Turin, and now submitted for their consideration.

They have, however, carefully gone through the provisions of the latter draft treaty, and compared them with those of the draft prepared under their directions in April last; and they find so many differences between many of them, not only in form, but in substance, that they must, in the absence of further information, confine themselves, on the present occasion, to the task of pointing out to Earl Russell the nature and extent of those differences.

Articles I, II, III, IV, V, VI, XI, XIII, XV, and XVI of the Turin draft correspond with Articles I, V, XIV, X, VIII, XI, XVIII, and XIII of the draft prepared in this department, but are less satisfactory in form, and, in some cases, defective in substance. My Lords would refer more especially in illustration of their opinion to Article XV of Mr. West's draft. App. No. 6.

Article IV, which in both drafts relates to the transit trade, is framed in the draft prepared in this department so as to guard against any disabilities and charges in the case of goods in transit to or from this country through the Italian dominions by the various modes of conveyance, and may have been considered more detailed than is necessary in the case of the Italian kingdom. In Mr. West's draft the prohibition affecting the transit of gunpowder through Italy is retained, and the transit of arms and munitions of war is to take place only under special authorisation. My Lords would have been glad to know on what grounds the Italian Government desire this reservation, although, if insisted upon, they would not be disposed to object to it.

Articles VII and IX are identical with Articles IX and VII in the Board of Trade draft.

Article VIII corresponds with Article VI in the Board of Trade draft, with the addition of the word "communes," to which my Lords have no objection if its insertion serves any useful purpose.

Article X provides for the trade *en échelon.* It was not thought necessary to insert a special stipulation for this operation; but if any reason exists in Italian legislation to render it desirable, there can be no objection to its insertion.

Article XII binds the contracting parties not to prohibit the exportation of coal. There is no corresponding provision to this effect in the Board of Trade draft, and unless it is insisted upon by the Italian Government, my Lords would decidedly object to any such stipulation. It certainly should not be conceded except, as was the case in the French Treaty, with a view to obtain an equivalent concession.

Article XIV corresponds with a part of the stipulations contained in Article II of the Board of Trade draft, but is objectionable as a distinct article, from its incomplete and partial character. The obligation which it imposes on the British Colonies not to place higher duties on Italian than on British produce and manufactures goes beyond the stipulation proposed by the Board of Trade, but as it has been conceded to Belgium by the recent Treaty, my Lords cannot object to its being extended to Italy if it be insisted on in the present negotiation.

The difference of form between Article XVI of the present draft, and Article XIII of the Board of Trade Draft, is one the importance of which the Foreign Office will be better able to judge than the Board of Trade.

Article XVIII relating to the Ionian Islands, is similar in the two drafts.

Article XVII provides that Italian subjects may hold real property in the United Kingdom, a provision which is inconsistent with English law. Article XVI in the Board of Trade draft is so drawn as to avoid this difficulty, and is, in my Lords' opinion, preferable on general grounds.

In the foregoing remarks my Lords have pointed out the differences in the corresponding articles of the two drafts, and have called Lord Russell's attention to the stipulations in Mr. West's draft for which there is no provision in the Board of Trade draft.

It remains for them to specify the provisions in the Board of Trade draft for which no equivalent or substitute is inserted in the present draft.

App. No. 6.

These are:—

Articles II. and III. relating to the duties on importation and exportation.

Article XI., relating to trade marks.

Article XIV., relating to religious liberty.

Article XV., providing against compulsory service, forced loans, &c.

Article XVII., securing certain legal rights and privileges.

Article XIX., relating to the recovery of deserters.

The first two, the trade marks article, and that which provides for the recovery of deserters, my Lords consider very important, and should, they think, be inserted in any treaty which is agreed to by Her Majesty's Government.

In concluding this comparison of the two drafts, I am to state that the order and arrangement of the articles in the Board of Trade draft is, in their opinion, very preferable to that of the present draft; a matter which, with a view to facilities of reference, is not without importance.

In submitting these remarks to Earl Russell, I am to request that you will add that, whatever may be the particular form which may be adopted for a new Commercial Treaty with Italy, it is more especially to the character of the new Italian Tariff that my Lords must look for the promotion of our commercial relations with that country.

In their letter of the 18th February 1862, my Lords expressed at some length their views on this subject, and their anxiety to obtain the earliest possible information as to the nature and extent of the tariff concessions which were given to France.

In consequence of that communication, the principal commercial bodies were called upon to prepare statements of the changes which appeared to them desirable in the interest of their respective trades, and much valuable information was collected.

My Lords presume that the Italian Government had proceeded too far in their negotiation with France at that time to allow of their considering representations from Her Majesty's Government, and they fear that now they may be indisposed to make any very extensive changes in a tariff which has been so recently prepared; but they are strongly of opinion that Her Majesty's Government should not bind itself by a new Commercial Treaty with the kingdom of Italy, and especially by a treaty which, like that under consideration, contains some new concessions of doubtful expediency, without having had an opportunity of examining carefully the new Italian Tariff with reference to the claims of the Chambers of Commerce, and exerting all their influence with the Italian Government to obtain any further modifications which may be urgently required by British commerce.

With this view I am to suggest that Mr. West should be instructed to send home at the earliest possible moment the Italian Tariff annexed to the recent Treaty with France, if, indeed, that treaty has been concluded (my Lords having received no official intimation to that effect), and that the negotiation of the present Draft Treaty should be suspended until my Lords have had an opportunity of examining its provisions.

I am at the same time to recall to Lord Russell's recollection, that on the occasion of the negotiation of the present Treaty of Commerce between Great Britain and Sardinia in 1851, many Tariff concessions were made to this country by Sardinia without any special or corresponding reductions in the British Tariff.

I have, &c.

(signed) *J. Emerson Tennent.*

No. 16.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 3 February 1863.

With reference to my letter of this day's date, I am directed by the Lords of the Committee of Privy Council for Trade to transmit to you, to be laid before Earl Russell, the inclosed copy of a letter from the Dundee Chamber of Commerce on the subject of the absence of any provision in the Italian Tariff for manufactures of jute.

It will be impossible, until my Lords have been enabled to examine the provisions of the Tariff which has been conceded to France under her recent Treaty with Italy, to know how far this defect may have been remedied; but in the event of the continued omission of this branch of manufacture from the Italian Tariff, my Lords are of opinion that it will afford a very proper ground of representation to the Italian Government.

I have, &c.

(signed) *J. Emerson Tennent.*

Enclosure in No. 16.

The Secretary of the Dundee Chamber of Commerce to Sir *J. Emerson Tennent.*

Chamber of Commerce, Dundee,
Sir, 28 January 1863.

With reference to a statement that has appeared in the public journals that a Treaty of Commerce has been signed between France and Italy, the directors of the Chamber beg to bring under your notice a paragraph in my letter of the 4th July 1862, when transmitting a schedule of duties proposed to be levied between this country and Italy. It was, "I have been instructed to call particularly to your attention the fact that in the present Tariff of Italy the products of jute, viz., yarn, cloth, and carpeting, are not even mentioned, and, therefore, whatever duties may be fixed, it is absolutely necessary, under any changes that may take place, this large and growing trade should specially have a place in the Tariff of Italy." The directors take this liberty, as it is believed the Italian Government are to treat us in the same manner as France.

The jute trade not being one of a like importance in France as in this country, especially in Dundee, the jute products may not be mentioned or classified in the manner which is necessary for its advancement. I beg to refer to the schedule sent on the 4th July 1862.

The

The following shows the importance of the trade :—

Jute imported into Dundee in 1862, 38,277 tons; flax and tow imported into Dundee in 1862, 38,244 tons.

I have, &c.
(signed) *Robert Sturrock,*
Secretary.

No. 17.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 4 February 1863.

I AM directed by Earl Russell to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that his Lordship is not in possession of the text of the Treaty lately concluded between France and Italy; but their Lordships will have perceived by Mr. West's Despatch of the 25th ultimo, a copy of which was inclosed in my letter to you of the 28th ultimo, that any commercial advantages accorded to France by this Treaty will also be extended to this country.

I am, &c.
(signed) *E. Hammond.*

No. 18.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 7 February 1863.

WITH reference to your letter of the 3d instant, conveying the observations of the Lords of the Committee of Privy Council for Trade on a draft of treaty of commerce and navigation between Great Britain and Italy which Earl Russell had received from Her Majesty's Chargé d'Affaires at Turin, I am directed by his Lordship to request that you will state to the Lords of the Committee that the Italian negotiator who was sent to England last year required many reductions of duty in the British Tariff in wines, confectionery, and other articles, which could not have been granted without a considerable loss of revenue.

It appears to Lord Russell that on political grounds it is very desirable to sign a treaty of commerce with Italy. He, therefore, proposes to send to Turin the draft treaty prepared at the Board of Trade in May last, with directions to Mr. West to sign that Treaty, without any other alteration than omitting the article as to the Ionian Islands.

If any alteration be proposed by the Italian Government, Mr. West will be directed to send the proposal home, and it will then be referred to the Board of Trade.

I am, &c.
(signed) *E. Hammond.*

No. 19.

App. No. 6.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 16 February 1863.

WITH reference to former correspondence on the subject of a new treaty of commerce between Great Britain and Italy, I am directed by Earl Russell to transmit to you copy of a Despatch* from Her Majesty's Ambassador at Paris inclosing copies of a treaty of navigation between France and Italy, signed at Paris on the 13th June 1862, and also of a treaty of commerce between the same countries signed at Paris on the 17th ultimo, with four tariffs A, B, C, D, annexed thereto.

I am also to transmit to you copies of two Despatches from Her Majesty's Chargé d'Affaires at Turin on the subject of those treaties.

Lord Russell desires me to request that you will lay these papers before the Lords of the Committee of the Privy Council for Trade, and move their Lordships to favour him with their opinion on the question, whether or not Her Majesty's Government should negotiate with Italy a treaty on the principle of the most favoured nation, or whether such a course would be disadvantageous.

I am at the same time to call your attention to the remark of Lord Cowley, that the treaties and tariffs inclosed in his Despatch must for the present be considered as confidentially communicated, and also to the remark made by the Italian Minister as to the documents not having yet been communicated to the Italian Chambers.

I am, &c.
(signed) *E. Hammond.*

No. 20.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 3 March 1863.

WITH reference to your letter of the 16th February, inclosing copies of treaties of commerce and navigation recently signed at Paris between the French and Italian Governments, and to the remark of Lord Cowley, to which Earl Russell calls their attention, that this communication must be considered for the present as confidential, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will state to Earl Russell that there are several points in the Tariff of Italy annexed to the Treaty of Commerce upon which they are desirous of consulting some of the Chambers of Commerce in this country, and that you will move his Lordship to cause this Board to be informed when they may consider themselves at liberty to do so.

My Lords would propose, in any communication to the Chambers of Commerce, to state that it must be considered as of a confidential character.

I have, &c.
(signed) *J. Emerson Tennent.*

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* These enclosures are not printed.—*See* Note, No. 7.

App. No. 6.

No. 21.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 11 March 1863.

WITH reference to your letter of the 3d instant, I am directed by Earl Russell to request that you will inform the Lords of the Committee of Privy Council for Trade, that the treaty lately concluded between France and Italy, a copy of which was communicated confidentially to the Board of Trade on the 16th ultimo, has now been officially received and is in the printer's hands, and that his Lordship proposes, as soon as it is printed, to send copies to all the principal Chambers of Commerce in this country.

I am, &c.
(signed) *E. Hammond.*

No. 22.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 19 March 1863.

I AM directed by the Lords of the Committee of Privy Council for Trade to transmit to you, to be laid before Earl Russell, the enclosed copy * of a communication which has been addressed to this Board by the Vice-president of the Chamber of Commerce of Birmingham, respecting a statement, that the Italian Government had reserved to itself the right of increasing the duties levied under the existing tariff to the level of those to be charged under the new Franco-Italian Tariff, and requesting the interference of Her Majesty's Government to prevent any action of the kind which shall be prejudicial to the trade of this country.

I am, &c.
(signed) *J. Emerson Tennent.*

No. 23.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 19 March 1863.

IN transmitting to you the inclosed copy of a memorial* from the Chamber of Commerce for the Potteries, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will lay it before Earl Russell together with the following observations:—

Under the Italian Tariff recently given under treaty to France, white earthenware is charged eight francs per 100 kilogrammes, instead of nine francs 20 centimes, and painted or coloured 12 francs per 100 kilogrammes, instead of 13 francs 80 centimes, being a reduction of 15 per cent.; while on white porcelain, in which France is more interested, the new duty is, after the 1st October 1864, 12 francs per 150 kilogrammes, instead of 18 francs 40 centimes, being a reduction of 30 per cent. Under these circumstances our earthenware will be placed relatively at a disadvantage.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 24.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 18 March 1863.

I AM directed by Earl Russell to transmit to you to be laid before the Lords of the Committee of the Privy Council for Trade, six copies of the commercial convention concluded between Italy and France, together with a copy of the letter which has been addressed to the principal Chambers of the commerce in this country, forwarding to them a copy of that convention.

I have, &c.
(signed) *E. Hammond.*

Enclosure in No. 24.

Circulars to Chambers of Commerce.

Foreign Office,
Sir, 17 March 1863.

I AM directed by Earl Russell to transmit to you herewith, for the information of the Chamber of Commerce at ——, a copy of the commercial convention and tariff recently concluded between France and Italy, as received from Her Majesty's representative at Turin; and I am to request that the Chamber of Commerce will, as soon as it can do so, communicate to the Lords of the Committee of Privy Council for Trade any observations that they may desire to offer on these documents, with reference to the negotiations into which Her Majesty's Government are prepared to enter with the Government of Italy, with a view to the conclusion of similar arrangements between this country and Italy.

I am, &c.
(signed) *E. Hammond.*

No. 25.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 2 April 1863.

I AM directed by Earl Russell to acknowledge the receipt of your two letters of the 19th instant, inclosing copies of communications from the Birmingham Chamber of Commerce, and of the Chambers of Commerce for the Potteries, calling attention to certain points in the Italian Tariff; and I am, in reply, to request that you will state to the Lords Commissioners of the Privy Council for Trade that, as matters stand, and it being the intention of Her Majesty's Government to enter into commercial negotiations with Italy as soon as the views of the different commercial bodies to whom the late treaty between France and Italy has been referred have been ascertained, it appears to Lord Russell that it would be worse than useless to make any representation to Turin on isolated points such as those referred to in those letters.

Lord Russell hopes that when the Board have acquired the necessary information, they will prepare and forward to him, in a shape to form the basis of instructions to Her Majesty's Minister at Turin, a distinct statement of the proposals which

* These enclosures are not printed.—*See* Note, No. 7.

which shou d be made to the Italian Government, of the concessions which should be sought, and of those which this country is prepared in return to make.

Lord Russell will then forward that statement to Turin, with such further instructions as may be necessary; and he would wish that some well-qualified person from the Board of Trade should simultaneously be sent there to assist Sir J. Hudson in the detail of his negotiation.

I am, &c.
(signed) *E. Hammond.*

No. 26.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 2 April 1863.

I AM directed by Earl Russell to request that you will inform the Lords of the Committee of Privy Council for Trade that his Lordship has received a letter dated the 24th instant from the Bradford Chamber of Commerce, containing their remarks upon the Commercial Treaty between France and Italy, a copy of which letter is stated to have been forwarded to the Board of Trade; and I am to state that Lord Russell would be glad to be favoured with the opinion of the Board on the whole question as soon as possible, as his Lordship fears that otherwise considerable delay may occur in the negotiations.

He would likewise wish to learn what officer of the Board of Trade will be instructed to go to Turin to assist Sir James Hudson.

I am, &c.
(signed) *E. Hammond.*

No. 27.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of
Privy Council for Trade, Whitehall,
Sir, 10 April 1863.

With reference to your letters of the 2nd April on the subject of the commercial negotiations between this country and Italy, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will state that they entirely concur with his Lordship in the inexpediency of making isolated representations to the Italian Government on particular points of the new Tariff, and that they will be prepared, so soon as the replies from the different commercial bodies which have been consulted shall have been received, to supply his Lordship with a statement of the proposal which they think it may be desirable to make to that Government, and that they will at once place themselves in communication with the Lords of the Treasury with regard to the concessions which may in return be made by Her Majesty's Government.

I am to add that if it appears to Lord Russell, on receiving this statement, that it will be desirable that a gentleman from this department shall be sent to assist Sir J. Hudson in the detail of his negotiation, Mr. Mallet will be prepared to proceed to Turin for that purpose.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 28.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 14 April 1863.

I AM directed by Earl Russell to transmit to you herewith, for the information of the Lords of the Committee of Privy Council for Trade, copies of letters* from the Chambers of Commerce of Dundee and Batley, containing observations with regard to the negotiation of a commercial treaty with Italy.

I am, &c.
(signed) *E. Hammond.*

P.S.—It is requested that the printed and noted enclosure in the letter of the Dundee Chamber of Commerce may be returned to this office when done with.

E. H.

No. 29.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 20 April 1863.

I AM directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a letter* from the Huddersfield Chamber of Commerce, forwarding their remarks upon the proposed commercial negotiations between this country and Italy.

I am, &c.
(signed) *E. Hammond.*

No. 30.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 28 April 1863.

In reply to your letter of the 27th instant, I am directed by Earl Russell to transmit to you herewith, for the information of the Lords of the Committee of Privy Council for Trade, a list of the Chambers of Commerce to which the circular of the 17th ultimo was addressed from this office on the subject of the commercial negotiations between this country and Italy.

I am, &c.
(signed) *E. Hammond.*

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* These Enclosures are not printed. *See* Note, No. 7.

App. No. 6.

Enclosure in No. 30.

List of the Chambers of Commerce to which the Foreign Office Circular of 17 March 1863, on the subject of Commercial Negotiation between Great Britain and Italy, was addressed.

Chambers of Commerce at Leith, Limerick, Liverpool, Manchester, Newcastle, Sheffield, Southampton, Sunderland, Tynemouth, Wolverhampton, Worcester, South Shields, Stoke, Stockton, Batley, Belfast, Birmingham, Bradford, Bristol, Cork, Coventry, Dewsbury, Dover, Dublin, Dundee, Edinburgh, Galashiels, Glasgow, Gloucester, Halifax, Huddersfield, Hawick, Hull, Kendal, Leeds, and Leicester.

No. 31.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 30 April 1863.

I am directed by Earl Russell to transmit to you herewith, to be laid before the Lords of the Committee of Privy Council for Trade, a copy of a letter* from the Dewsbury Chamber of Commerce on the subject of the proposed commercial negotiations between this country and Italy.

I am, &c.
(signed) *E. Hammond.*

No. 32.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 4 May 1863.

With reference to my letter of the 14th ultimo, relative to the question of duties on jute manufactures in connection with the proposed commercial treaty between this country and Italy, I am directed by Earl Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, a further letter* from the Dundee Chamber of Commerce, enclosing a copy of a letter to the Chancellor of the Exchequer upon this subject.

I am to request that the original paper herewith enclosed may be returned when done with.

I am, &c.
(signed) *E. Hammond.*

No. 33.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 15 May 1863.

I am directed by Earl Russell to request that you will acquaint the Lords of the Committee of Privy Council for Trade that a telegram has been received from Sir James Hudson, by which it appears that the Italian Government, who have recently concluded treaties of commerce with Holland and Belgium, are very anxious to be able to introduce into the King's speech, on the opening of the next Session of the Italian Parliament, which will take place on the 25th instant, a phrase respecting a treaty with England.

That they may be enabled to do so, they have authorised Sir James Hudson to say that they abandon the idea of obtaining reductions in the British tariff, hoping that Her Majesty's Government will sign the treaty of which Her Majesty's Government already possess a draft.

If the draft here alluded to is the one sent home by Mr. West in the beginning of this year, and which is commented upon in your letter of the 3d of February last, Lord Russell understands that the Board of Trade would not be prepared to assent to it as it now stands; but Lord Russell considers that it is very undesirable to let the question of a commercial treaty with the Kingdom of Italy, which is so much desired, be any longer postponed; and I am accordingly to request that the Board of Trade, having had full opportunity of communicating with the several Chambers of Commerce in the country on the subject, will frame such a draft of treaty as may be proposed to the Italian Government, with a reasonable expectation that it will be accepted, and, if accepted, be generally beneficial to the trade between the two countries.

Lord Russell directs me to add, that it is of the utmost importance that full instructions to Sir James Hudson on this matter should be forthwith sent to Turin, and his Lordship trusts, therefore, to receive the decision of the Board of Trade with the least possible delay.

I am, &c.
(signed) *E. Hammond.*

No. 34.

Mr. *Booth* to Mr. *Hammond.*

Office of Committee
of Privy Council for Trade, Whitehall,
Sir, 18 May 1863.

In reply to your letter of the 15th, I am directed to request that you will state to Earl Russell that the objection of this Board to the adoption of the draft treaty sent home by Mr. West at the beginning of this year, subject to the modifications indicated in their letter of the 3d February, rested principally on the ground that they had not then had an opportunity of examining the Tariff of Customs duties annexed to the recent treaty between Italy and France.

It now appears from the examination of that tariff which my Lords have been enabled to make, that, with the exception of certain reductions upon a limited number of articles in which the French trade is especially interested, and of the introduction of *ad valorem* duties upon woollen tissues, it is substantially the same as that which has recently been and still is generally in force in the Italian Kingdom. My Lords do

* These Enclosures are not printed. *See* Note, No. 7.

do not, therefore, anticipate any considerable change in the commercial relations of the two countries as a consequence of its extension to the United Kingdom.

Lord Russell having by his circular of the 17th March last invited the remarks of the principal Chambers of Commerce of the United Kingdom upon the provisions of this tariff, my Lords have received from many of them (though not yet from all) an expression of their views on its probable operation upon the British export trade.

Some of these replies are to the effect that the existing arrangements are satisfactory; others express the opinion that further modifications are required.

The principal points which seem to call for alteration are the following:—

The duties on iron and steel are too high in several instances, and the classification of the former too complicated and minute, but they are generally more moderate and simpler than in the French tariff.

On cutlery the Sheffield Chamber strongly urges an *ad valorem* duty instead of the present complicated classification.

The spinning interest generally considers that if duties on yarn are retained, the differential duties on bleached and dyed yarn should be at all events removed; the present differential duties are altogether disproportioned to the cost of these operations.

As respects woven fabrics of cotton, woollen, and silk, the tariff is satisfactory. In linens, it is to be desired that the rates on dyed and printed cloths should be the same as those on bleached.

It is especially important that the duty on all mixed fabrics should be charged *ad valorem* (as in the French tariff), and not upon the predominant material as is now the case.

A special representation from Dundee on the jute duties calls attention to the disproportionate duty charged on jute manufactures, and proposes that rates should be fixed in the same proportion to their value as in the case of manufactures of linen.

The Staffordshire potteries have called attention to the relative injury which they will sustain from the adoption of the Franco-Italian tariff, unless a reduction is made on earthenware corresponding to that effected on porcelain by that tariff. The particulars of this case were stated in my letter of the 19th March last.

It, however, does not appear from your letter of the 15th instant, whether, in withdrawing their claim to reductions in the British tariff, the Italian Government means it to be understood that all claims on the part of Her Majesty's Government for reductions in the Italian tariff are to be equally withdrawn.

If Lord Russell is of opinion that they are still prepared to receive representations with a view to further modifications in their tariff, my Lords will at once supply him with a statement of the principal proposal which in such an event it would be desirable to make.

But they rather infer, from the brief interval which has been left for such representation, that all that is intended by the Italian Government is the conclusion of a Treaty of Commerce and Navigation, containing the ordinary provisions, and providing for most favoured nation treatment, without any specific tariff concession on either side.

If this be so, it only remains for my Lords to state their opinion that, in the absence of information as to the existence of any objection on the part of the Italian Government to the draft Treaty prepared in this department, and transmitted in my letter of the 24th April 1862, they think that it is one which may be submitted to that Government with a reasonable expectation of being accepted, and that they would prefer it to that sent home by Mr. West in the early part of this year.

If, however, for reasons with which they are unacquainted, the draft prepared by Mr. West is more acceptable to the Italian Government, my Lords think that it should only be agreed to, subject to the remarks contained in my letter of the 3d February last.

In conclusion, I am to state that if Lord Russell is of opinion that no further tariff concessions can be obtained from the Italian Government at the present time, and that for political reasons it is important not to delay any longer the conclusion of a commercial treaty with Italy, my Lords think that in assenting to such a treaty, Her Majesty's Government should inform the Italian Government that their tariff is in several respects far from satisfactory to British interests, and obtain, if possible, some understanding that they will be ready to receive and consider future representations with a view to the modifications in its provisions, which it is desirable in the mutual interest of both countries to effect, and more particularly in those affecting manufactures of jute, earthenware, and mixed tissues of all kinds, to which I have already referred, and which ought, in the opinion of this Board, to be strongly urged on the Government of Italy.

I am, &c.
(signed) *James Booth.*

No. 35.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 21 May 1863.

With reference to the question of a new Treaty of Commerce between Great Britain and Italy, I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, copies of two memoranda, one by Mr. West, the Secretary to Her Majesty's Legation at Turin, the other by Mr. Allhusen, giving a report of conversations with some members of the Italian Government.

I am, &c.
(signed) *E. Hammond.*

Enclosure 1, in No. 35.

Memorandum by Mr. *West* on Conversations with Mr. *Nordlinger*, of Manchester, and Mr. *Allhusen*, of Newcastle, on the subject of Commercial Treaty.

(Private.)

In consequence of the letter from Mr. Layard of the 16th instant, which Sir James Hudson gave me to read, enclosing one from Mr. Forster,

App. No. 6.

M. P. for Bradford, requesting an introduction to Sir James Hudson for Mr. Nordlinger, a Manchester foreign merchant, I had occasion to speak to that gentleman on the subject of the proposed Commercial Treaty with Italy, about which he was anxious to make some suggestions on the part of the Manchester cotton interest. It was sought, he said, to obtain a revision of the existing rates, a reduction of which should be provided for in any treaty which might be concluded. I explained the difficulties which at the present moment we should encounter in obtaining from the Italian Government any further concessions on this head; and in order that Mr. Nordlinger should be convinced of this, I took him to M. Baer, the Secretary-General of the Ministry of Commerce, with whom I had been previously in communication on commercial matters, to discuss his suggestions privately. M. Baer at once said the moment was most inopportune to discuss this matter, and stated at length the difficulties the Government had encountered, and were actually encountering, in maintaining the reductions of 1860. I suggested that we should not discuss and argue on Free Trade *versus* Protection, a question upon which I felt convinced the Italian Government in reality agreed with us, but rather find means to satisfy the Manchester cotton interest, without adding to the difficulties the Italian Government were contending against. Mr. Nordlinger then proposed:

1. To put cotton goods on the same footing as woollen; or

2. An optional *ad valorem* duty, as provided for woollens by Franco-Italian Treaty.

Neither of these propositions, I feel assured, would be entertained, and this Mr. Nordlinger clearly saw from what M. Baer said. I afterwards saw the Minister of Commerce, M. Manna, and his language was equally decided on this point.

Mr. Nordlinger said that, if Sir James Hudson and myself thought that nothing could be obtained, it might be expedient to secure the application of the reductions accorded to France, which could not be claimed under Article XI. of our Treaty of 1851.* (I may here observe that such application would be obtained by Article VI. of the proposed draft.)

Mr. Nordlinger suggested a special clause providing for future negotiations for a reduction of the duties on cotton goods.

I told him I should report our conversation to Sir J. Hudson; and he left the same evening for Milan.

Since the above was written, Mr. Allhusen has presented to me Lord Russell's letter of the 27th of February. He expressed his desire to be put into communication with the Italian Government, for the purpose of pressing upon them the expediency of a revision of the existing tariff.

Should the Italian Government consent to entertain the question of such a revision, Mr. Allhusen said he was prepared to enter into details.

* The application entire of this tariff, as far as regards some articles, may not be beneficial to English interests.

Enclosure 2, in No. 35.

MEMORANDUM.

AFTER having discussed with M. Minghetti, the Minister of Finance, the effect which a general reduction of the Italian Tariff would have upon the prosperity of Italy, he stated that the Italian Government had every desire to develop the resources of the country. M. Manna, Minister of Agriculture and Commerce, entered the room at this period. M. Minghetti followed up his remarks by saying that there were two methods of meeting the representations I have made: the one was by a general revision of the Italian Tariff, which would involve an alteration of the treaty just concluded with France, and the other was by basing a treaty upon reductions to be made simultaneously upon the importation of Italian produce into England.

M. Manna expressed his satisfaction upon the duty now charged upon foreign wines, and considered that in the interest of Italy a considerable reduction should be made, as the rate of 1 *s.* per gallon, though a moderate duty on the produce of France and other countries, would amount to about 60 per cent. on the value of the cheap Italian wines. I replied that it would be altogether impracticable to conclude a commercial treaty upon any such basis, as any reduction in favour of Italian wines would have to be conceded to other countries; and for the present, at at any rate, further reductions were incompatible with the maintenance of the revenue of the country. Moreover, as England simply imposed nominal duties on the importation of Italian produce generally—dried fruits and wines formed the only exception—it could no longer negotiate treaties upon the principle proposed. Experience had proved that the removal of restrictions upon commerce had conferred benefits upon all classes of the community; and whilst it could not be doubted that a revision of the Italian tariff would benefit England, it could not be questioned that Italy would be the greatest gainer by the adoption of such a course.

After entering into some illustrations in support of this view, a practical issue of the discussion was arrived at by M. Minghetti, giving a distinct assurance that the Italian Government would be prepared to enter into a treaty by which Italy and England would secure to each other any advantages which have been or may be hereafter conferred in either country to any other nation. He further stated that, though the Italian Government was not prepared to name a time when a further revision of the tariff should be made, a revision should take place at as early a period as possible. He remarked that, as pressure of business brought upon the Government at present was very great, the subject would have to be deferred to a more favourable opportunity.

Under these circumstances, I would wish to suggest that a draft of a treaty on the basis proposed be prepared forthwith, so that the most favoured nation clause may be secured with respect to the Kingdom of Italy as now constituted, immediately after the French treaty shall be passed by the Chambers, unless, indeed, it can be passed simultaneously, and that the question of a further reduction of the tariff be from time to time brought under the notice of the Italian Government.

(signed) *C. Allhusen.*

Turin, 3 May 1863.

No. 36.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee
of Privy Council for Trade,
Sir, Whitehall, 21 May 1863.

WITH regard to my letter of yesterday, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will inform Earl Russell that they have this morning received from the Chamber of Commerce at Dundee a letter, of which I enclose a copy,* suggesting an amended classification of jute, yarn, and tissues in the Italian tariff, which my Lords would propose should be substituted for that inserted in the schedule annexed to the draft article enclosed in their letter of yesterday.

I am, &c.
(signed) *J. Emerson Tennent.*

No. 37.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Foreign Office,
Sir, 23 May 1863.

WITH reference to recent correspondence on the subject of the draft of a new treaty of commerce to be proposed to the Government of Italy, I am directed by Earl Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, two Despatches which he proposes to address to Her Majesty's Minister at Turin, transmitting the draft treaty prepared at the Board of Trade in May 1862. In that Despatch Lord Russell has incorporated as Article III. the draft article and tariff relative to manufactures of jute, earthenware, and mixed fabrics, which was enclosed in your letter of the 20th instant; the amended tariff as to jute fabrics, which was enclosed in your letter of the 21st instant, being, however, substituted for the corresponding part of the tariff which accompanied your letter of the 20th.

His Lordship, in conformity with the suggestion in a memorial from the Bradford Chamber of Commerce, enclosed in your letter of the 11th of February last, has added to the tariff a proviso that the duty on mixed fabrics may be paid by weight at the option of the importer. The Chamber suggest a rate of 1 franc 40 centimes per kilogramme; but Lord Russell has inserted 1 franc 60 centimes, believing that to be the lowest rate which there is any chance of obtaining. If, however, the Lords of the Committee think the lower rate should be proposed, they will have the goodness to make the requisite alteration in the draft article.

I am to add, that Lord Russell is of opinion that it would conduce to the success of the negotiation if Mr. Mallet were to proceed to Turin, in order to assist Sir James Hudson with his advice and knowledge of the requirements of British interests, and I am accordingly to request that you will move the Lords of the Committee to give him directions to that effect, if they concur in opinion with Lord Russell.

I am, &c.
(signed) *E. Hammond.*

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* This Enclosure is not printed. *See* Note, No. 7.

Enclosure 1 in No. 37. App. No. 6.

DESPATCH to Sir *James Hudson.*

(No. 37.)

Sir, Foreign Office, 27 May 1863.

HER Majesty's Government have considered the draft Treaty of Commerce between Great Britain and Italy which was enclosed in Mr. West's Despatch of the 25th of January last. While they highly approve the diligence and care with which that draft was prepared, they are of opinion that its provisions are in many respects susceptible of improvement; and there are moreover some points not noticed in that draft on which it would be desirable to have treaty stipulations, while in regard to others Her Majesty's Government would not wish spontaneously to offer the engagements contained therein.

Under the first of these two classes I would mention duties of importation and exportation, trade marks, religious liberty, security against compulsory military service, forced loans and requisitions, legal rights and privileges, and the recovery of deserters.

Her Majesty's Government would also wish to propose some special tariff arrangements respecting manufactures of jute, earthenware, and mixed fabrics. On this subject I address to you a separate Despatch.

In the second class occur the following points:

In the article respecting transit trade there is inserted from the recent treaty with Belgium a prohibition affecting the transit of gunpowder, and a restriction as to the transit of arms and munitions of war. I am not aware whether the Italian Government would insist upon such provisions; but unless they did so, Her Majesty's Government would not insert them in the treaty of their own accord.

The same observation applies to the engagement not to prohibit the exportation of coal, which is contained in Article XII. of Mr. West's draft, and which is objectionable, and also to the engagement in Article XIV., that in the British Colonies no higher duties shall be imposed on Italian produce than on British produce.

The provision in Article XVII., which would permit Italian subjects to hold real property in the United Kingdom, is inconsistent with British law.

For these reasons Her Majesty's Government have caused a fresh draft of treaty to be prepared, and for the sake of convenience to be printed. I transmit to you some copies of it, and I have to instruct you to propose it to the Italian Minister. If it be accepted by him, you are authorised to sign it on the part of Her Majesty.

Should the Italian Government desire any alterations in the draft which you are instructed to offer to them, you will send their proposals home for the consideration of Her Majesty's Government.

I have only to add one or two further observations.

In Article VIII. of Mr. West's draft the word "communes" occurs. There is no reason why it should not be inserted in the corresponding Article of the printed draft, if its insertion will serve any useful purpose.

Article X. of Mr. West's draft, which relates to trade *en échelon*, is omitted in the new draft, on the presumption that it is unnecessary, the entire

App. No. 6.

coasting trade being opened by another Article. But if any special reason exists in Italian legislation to render it desirable, there can be no objection to its insertion.

No stipulation has been inserted in the new draft with regard to the Ionian Islands. Any engagement respecting those islands may be reserved for a separate negotiation hereafter.

I am, &c.

Enclosure 2, in No. 37.

Despatch to Sir *James Hudson*.

Sir, Foreign Office, 27 May 1863.

Her Majesty's Government are extremely desirous to obtain, in the new Treaty of Commerce which they hope to conclude with the Kingdom of Italy, some arrangements with regard to the three branches of British manufacture beyond what would be the result of the application to Great Britain, under a most favoured nation Article, of the tariff of duties annexed to the recent Treaty of Commerce between France and Italy. The three branches of manufacture to which I refer are—

1. Jute.
2. Earthenware.
3. Mixed woven fabrics.

I transmit to you a memorandum, explaining the grounds upon which Her Majesty's Government feel bound to press for some special arrangements with regard to these articles, to which the scale of duties settled by the Franco-Italian tariff are not justly applicable, and an Article, numbered III., has been inserted in the draft treaty, transmitted to you in my Despatch of this date, calculated to carry out the propositions of Her Majesty's Government in this respect.

Her Majesty's Government would have been happy if it had been in their power to offer to the Italian Government some specific advantage in return for what they are now asking. But the fact is, that the recent commercial legislation of Great Britain has been so liberal, that she has little or nothing to give to a foreign power beyond a treaty engagement for the continued enjoyment of the treatment of the most favoured nation, which is, in effect, national treatment. All the leading productions of the Kingdom of Italy, with the single exception of wine, are admitted into Great Britain absolutely free from duty. The duty on wine, an article which Great Britain does not herself produce, is levied solely for the purpose of revenue, and as any reduction upon Italian wines must, according to the commercial system of this country, be extended to wine the produce of all other countries, the result would be a serious loss of revenue, which Her Majesty's Government could not afford. But the arrangements which you are instructed to propose to the Italian Government with regard to jute manufactures, earthenware, and mixed fabrics would, on the contrary, benefit their revenue, while they would not have any injurious effects upon domestic manufactures.

You will urge these considerations in the strongest manner upon the Italian Government.

I am, &c.

No. 38.

Sir *J. Emerson Tennent* to Mr. *Hammond*.

Office of Committee of Privy Council for Trade,

Sir, Whitehall, 25 May 1863.

In reply to your letter of the 23d instant, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will state to Earl Russell that they concur in the directions to Sir James Hudson contained in the two draft Despatches enclosed in your letter, and in the draft treaty which his Lordship proposes to submit for the acceptance of the Italian Government.

With reference to the proviso which his Lordship has inserted in the tariff on mixed fabrics, appended to Article III., giving the importer the option of paying by weight at the rate of 1·60 francs per kilogramme, I am to state, as the average value of worsted tissues may be taken at about 10 francs the kilogramme, my Lords would suggest that the rate proposed, videlicet, 1·60 francs, should be changed to 1·50 francs per kilogramme, with a corresponding reduction to one franc per kilogramme in October 1864; these rates being equivalent to the *ad valorem* duties of 15 per cent. and 10 per cent. respectively.

I am also to suggest, for Lord Russell's consideration, whether in the event of the Italian Government not being prepared to incorporate the desired tariff changes in the present Treaty, they might not be induced to adopt them at once by independent legislation, and whether Sir James Hudson might not be instructed to obtain from them a written assurance to this effect.

I am to add that if Lord Russell considers that Mr. Mallet's assistance will be useful to Sir James Hudson at this stage of the negotiations, my Lords will instruct him to go to Turin with the least possible delay.

I am, &c.
(signed) *J. Emerson Tennent.*

P. S.—I am desired to return the enclosed printed draft of the Treaty, with the alteration above alluded to, and proposed to be made in the Schedule of Customs Duties attached to Article III.

J. E. T.

No. 39.

Mr. *Hammond* to Sir *J. Emerson Tennent*.

Sir, Foreign Office, 23 May 1863.

I am directed by Earl Russell to transmit to you herewith, for the information of the Lords of the Committee of Privy Council for Trade, a copy of a report* which has been received from the Edinburgh Chamber of Commerce, upon the Commercial Convention between France and Italy.

I am, &c.
(signed) *E. Hammond.*

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* This Enclosure is not printed. *See* Note, No. 7.

No. 40.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 26 May 1863.

I HAVE laid before Earl Russell your letter of yesterday, respecting the negotiation of a new Treaty of Commerce between Great Britain and Italy, and I am directed by his Lordship to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that he will to-morrow send to Sir James Hudson the instructions of which the drafts were submitted to their Lordships, with the modifications suggested in your letter.

Lord Russell would be glad that Mr. Mallet should take his departure for Turin as soon as possible.

I am, &c.
(signed) *E. Hammond.*

No. 41.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 17 June 1863.

I AM directed by Earl Russell to transmit to you a copy of a Despatch from Her Majesty's Minister at Turin, stating that the Italian Government decline to accept Article III. of the draft Treaty which he was instructed to propose to them, and which article stipulated for reductions in the Italian tariff on manufactures of jute, on earthenware, and on mixed fabrics.

Lord Russell desires me to request that in laying this Despatch before the Lords of the Committee of Privy Council for Trade you will state that it seems that Her Majesty's Government may either have the most favoured nation clause, as proposed by the Italian Government, and defer all changes of tariff for subsequent negotiation, or may refuse any further negotiation until they can make a tariff treaty. His Lordship would be glad to know which course the Lords of the Committee would prefer.

His Lordship, however, desires me to add that in his opinion the first course would be the best, as the Chancellor of the Exchequer declines to agree to any reduction of the duties on wine and dried fruits. But if the Board of Trade prefer to leave things as they are, Lord Russell will so inform the Italian Government.

I am, &c.
(signed) *E Hammond.*

Enclosure 1, in No. 41.

Sir *J. Hudson* to Earl *Russell.*

(No. 68.)

My Lord, Turin, 13 June 1863.

WITH reference to your Lordship's Despatches of the 27th May, instructing me to negotiate a Treaty of Commerce with the Italian Government, I have the honour to report that the Italian negotiator, Signor Manna, Minister of Agriculture and Commerce, rejected the draft which your Lordship instructed me to propose to the Italian Government for the reasons which you will find detailed in the enclosed copy of a letter which he has addressed to me.

Mr. Mallet will, therefore, return forthwith to England.

I have, &c.
(signed) *James Hudson.*

Enclosure 2, in No. 41.

Signor *Manna* to Sir *J. Hudson.*

Turin, Juin 1863.

M. le Ministre,

JE m'empresse à répondre à la lettre que votre Excellence a bien voulu m'adresser après notre conférence d'hier au sujet du Traité de Commerce.

Puisque je n'avais pas pu accepter l'Article III. du projet du Traité envoyé par le Gouvernement Anglais, votre Excellence a eu la bonté de me suggérer l'idée de donner par écrit une assurance que le Gouvernement Italien serait disposé à faire des réductions à son Tarif de Douane pour ce qui concerne la *jute*, la *faïence*, et les *tissus mélangés*. Après cela le traité serait signé sans l'Article III.

Votre Excellence voudra bien me permettre de lui rappeler que dès le commencement de cette négociation le Gouvernement du Roi, en échange des réductions accordées à la France sur son tarif, et dont l'Angleterre aurait profité à l'instant même de la ratification du nouveau traité, avait demandé des réductions de droit sur l'importation en Angleterre des vins, spiritueux, vinaigre, et fruits secs de l'Italie, et que par suite des déclarations de votre Excellence sur les difficultés que le Gouvernement Anglais rencontrerait à accéder à nos demandes, nous désistâmes de notre part d'y insister.

Par cette démarche nous avons donné au Gouvernement Anglais une preuve des meilleures dispositions du Gouvernement du Roi vers le Gouvernement de la Reine de la Grande Bretagne.

L'Angleterre aurait profité sans donner aucun équivalent de tous les avantages que nous avons accordés à la France en compensation de ceux qu'on nous avait accordé en dehors de ceux que la France avait garantis à l'Angleterre par ses Traités de 1860.

Par l'Article III. du contre-projet du Traité à intervenir, ce serait au contraire l'Italie qui devrait faire d'autres diminutions dans son Tarif à l'avantage des produits Anglais, et elles seraient à l'instant applicables aux produits similaires de la France, de la Belgique, et de la Suède, sans aucune compensation de la part de l'Angleterre pour les produits Italiens. Nous ne pourrions consentir à cette proposition.

Cependant le Gouvernement du Roi, animé du désir de donner au Gouvernement Anglais des preuves de ses sentimens de déférence, ne se refuse pas de promettre qu'il prendra en spéciale considération les demandes du Gouvernement Anglais dans la confiance qu'il rencontrera de la part de celui-ci les mêmes dispositions bienveillantes pour prendre en considération les demandes faites par nous.

Après la ratification du Traité avec la France, le Gouvernement Italien devra procéder à une

App. No. 6.

revision du Tarif des Douanes. Ce sera alors le cas de s'occuper des réductions demandées par le Gouvernement Anglais. Nous sommes sûrs de notre côté que celui-ci accédera en même temps à nos demandes.

Je saisis, &c.
(signé) *G. Manna.*

No. 42.

Sir *J. Emerson Tennent* to Mr. *Hammond.*

Office of Committee of Privy Council for Trade,
Whitehall, 30 June 1863.

Sir,

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 17th instant, enclosing a copy of a Despatch from Her Majesty's Minister at Turin, and of a note from M. Manna, the Italian Minister of Commerce, from which it appears that the Italian Government decline to accept Article III. of the draft treaty of commerce proposed by Her Majesty's Government, and also to give a note containing an assurance that the tariff arrangements contained in that article shall be proposed to the Italian Parliament, with a view to their being carried into effect by law.

M. Manna states, however, that after the ratification of their recent treaty with France, it is the intention of his Government to proceed to a revision of their Customs tariff, and that on that occasion they will be ready to take into special consideration the demands of Her Majesty's Government, on the conviction that the demands which have been made by the Italian Government for reductions in the British tariff will be at the same time acceded to.

Lord Russell states that, under these circumstances, two courses appear to be open to Her Majesty's Government:—

1. To conclude a treaty of commerce with Italy with a most-favoured-nation article, without any provision for tariff reductions.

2. To defer further negotiation until they may be enabled to make a tariff treaty.

In order to assist Lord Russell in deciding upon the policy to be adopted in this question, my Lords desire briefly to review the position of the two Governments with reference to their negotiations.

In the year 1860 England and France concluded a commercial treaty, by which important tariff reductions were mutually made by the two countries in each other's favour.

The whole of the reductions secured to France by England, under that instrument, several of which were of considerable value to the Italian trade, were extended immediately and unconditionally to the Kingdom of Italy, and at the present time the few remaining Customs duties in the British tariff which affect Italian produce are retained solely for the purposes of revenue.

Her Majesty's Government, therefore, naturally expected that the reductions which will be made in favour of France in the Italian tariff, under the pending treaty between France and Italy, would be applied at once, and as a matter of course, to this country, irrespective of all treaty stipulations, and were wholly unprepared to find that the Italian Government would avail themselves of any formal defect in the existing treaty between England and Sardinia to withhold those privileges, still less that they would represent them as constituting a ground for demanding as an equivalent further tariff reductions in the British tariff.

When, therefore, it was proposed by the Italian Government that a new commercial treaty should be concluded with this country, my Lords viewed the proposal as an indication that there existed on the part of that Government a desire to extend and consolidate the commercial relations of England and Italy, and that they would gladly avail themselves of such an occasion to diminish or remove those restrictions upon British trade which are retained, not on fiscal grounds, but in reference to principles of commercial policy which that Government has professedly discarded.

On the other hand, the Italian Government appear to have considered that the extension to this country of the tariff reductions accorded to France, and more recently to Belgium, by treaties with those countries, which are at present before the Italian Chambers, justified them in asking Her Majesty's Government to reduce the duties charged by the British tariff upon certain articles of Italian produce and manufacture specified in former correspondence, and when in the month of May last this claim was withdrawn, it was so withdrawn with a view to remove an obstacle to the immediate conclusion of a treaty with this country, which they desired for political reasons.

When, therefore, the recent proposals of Her Majesty's Government were submitted to the Italian Government by Sir J. Hudson, M. Manna, who conducted the negotiation, at once declined to entertain any question of tariff reductions in the treaty under consideration, but stated that his Government would be disposed to examine the propositions of Her Majesty's Government on the occasion of a general rectification of the Italian tariff, which it was intended to effect so soon as the treaty with France shall have received the sanction of the Chambers.

In considering the two alternative courses suggested by Earl Russell, my Lords might have been disposed, under ordinary circumstances, to have recommended that Her Majesty's Government should be satisfied with this assurance, and that they should proceed at once to the conclusion of a commercial treaty, irrespective of all tariff reductions on either side.

That, having regard to the attention which has been given by the commercial bodies in this country to the present negotiation, and to the opinions which they have been invited to express on the operation of the proposed Italian tariff, my Lords are somewhat unwilling to present to this country a new commercial treaty with Italy until some of the more obvious defects in that tariff have been remedied, and the good intentions of the Italian Government actually fulfilled; and they would, therefore, have preferred that the conclusion of a commercial treaty with Italy should follow rather than precede the promised revision of the Italian tariff.

My Lords are not aware of any practical inconvenience which could result from this delay, unless the Italian Government were to insist upon the conclusion of such a treaty as a condition of the extension to British trade of the advantages

advantages conceded to France—a course which they think can hardly be seriously intended.

But even in this event my Lords would recommend that the conclusion of a treaty with this country and Italy should be delayed to the latest possible moment. They are informed that the ratification of the treaty with France is not likely to take place before the month of August, and that it may even be deferred still later.

My Lords would therefore suggest that Her Majesty's Minister at Turin should be instructed to keep Her Majesty's Government informed as to the progress of the discussions in the Italian Chambers on the French treaty, and as to the date of its probable ratification, and in the meantime to inquire formally of the Italian Government whether it is their intention to impose differential duties upon British produce and manufactures, as against similar articles of French produce and manufacture, when that treaty shall have been brought into force.

I have, &c.
(signed) *J. Emerson Tennent.*

No. 43.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 7 July 1863.

HAVING laid before Earl Russell your letter of the 30th ultimo, relative to the negotiation of a new treaty of commerce with the kingdom of Italy, I am directed by his Lordship to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that he has instructed Her Majesty's Minister at Turin to take no further step at present with regard to the proposed treaty, but to keep Her Majesty's Government informed as to any changes in the Italian tariff er any proposition in the Italian Parliament on the subject of tariff arrangements, or of the French treaty, and the probable time of its ratification.

In the meanwhile, Sir James Hudson will inquire whether, when the treaty with France shall have been put into force, differential duties will be levied upon British produce and manufactures.

I am, &c.
(signed) *A. H. Layard.*

No. 44.

Mr. *Layard* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 22 July 1863.

WITH reference to your letter of the 30th ultimo, and to my reply of the 7th instant, relative to the negotiation for a new treaty of commerce with the kingdom of Italy, I am directed by Earl Russell to transmit to you, to be laid before the Lords of the Committee of Privy Council for Trade, copy of a Despatch from Her Majesty's Minister at Turin, enclosing copy of a communication from M. Manna, the Italian negotiator; and I am to state that Lord Russell recommends strongly to their Lordships that the terms proposed by M. Manna should be accepted by Her Majesty's Government.

I am, &c.
(signed) *A. H. Layard.*

Enclosure 1, in No. 44.

App. No. 6.

Sir *J. Hudson* to Earl *Russell.*

My Lord, Turin, 16 July 1863.

WITH reference to your Lordship's Despatch of the 6th instant, on the subject of a proposed new treaty of commerce between Great Britain and Italy, and specially with regard to the concluding paragraph of that Despatch, whereby I am instructed to inquire of the Italian Government whether it is their intention, when their treaty with France shall be in operation, to impose differential duties upon British produce and manufacture, in comparison with similar articles of French produce and manufacture, I have the honour to inform your Lordship that, in obedience to your instructions, I put that question this morning to the President of the Council and Minister of Finance, Signor Marco Minghetti, who replied that, as a matter of principle, such duties ought not to be levied, because the Italian Government professes the principle of free trade; but as a matter of fact they would be levied during the interval between the ratification of the treaty with France in August next, and the revision of the tariff by the Parliament some time next Session, but at what period of that Session it is not easy to determine.

Upon this I inquired whether the provision in question would not be subject to all the chances and changes of Parliamentary opinion and contest; and if so, whether British produce and manufacture would not be exposed during that indefinite period to competition with a more favoured nation.

Signor Minghetti replied that undoubtedly this would be the case.

I therefore also inquired whether there was, with the exception of the IIIrd Article relating to earthenware, jute, and mixed fabrics, anything in the draft of the treaty (which by your Lordship's orders I had proposed for the acceptance of the Italian Government on the 11th ultimo) to which the Italian Government would object, because he would remember that my negotiations had broken down upon that IIIrd Article.

Signor Minghetti replied that, for his part, he had nothing to object to the other articles of that treaty.

It will be, therefore, for Her Majesty's Government to consider whether it would be advantageous for British interests in general to sacrifice to the manufacturers of jute and earthenware the general trade of Great Britain with Italy during the indefinite period alluded to; and it must be borne in mind, that no treaty of commerce is possible which will satisfy the expectations of British manufacturers on the one hand, and Italian agriculturists on the other.

Her Majesty's Government asked the Italian Government for reductions of import duty on some articles of British produce and manufacture. The Italian Government would have made a similar demand upon Her Majesty's Government had they not been informed that no such reductions could possibly take place.

The negotiations consequently soon came to an end, and may remain suspended till the readjustment of the Italian tariff.

At the present moment it is not easy to say what treaty Great Britain has with Italy. Her Majesty's consuls in the Southern Provinces claim the stipulations of the treaty with the Two Sicilies.

App. No. 6.

Sicilies. Her Majesty's Legation claims the application of the principles of constitutional law independently of that treaty, and the rights which derive from the treaties with Sardinia, and especially the treaty which throws open the coasting trade of Italy to British shipping, and *vice versâ*. The Neapolitan-Sicilian Customs resist this demand, and the question may be considered to a certain extent in abeyance.

And although no serious questions have arisen, nor so far has there been any need for reference to your Lordship, yet there is no reason why questions of a delicate and complicated nature should not arise under our present treaty arrangements between Italy and Great Britain.

Hence I have always been of opinion that the best method of meeting the altered political and commercial condition of Italy would be by a general treaty of amity and commerce, leaving special questions of trade to be dealt with specially and by instruction from your Lordship's office.

I have had a conversation with Signor Manna upon these points, and he has furnished me with a copy of the Italian tariff, accompanied by the conventional tariff with France under their new treaty, which will enable your Lordship to see at a glance the disparity which will exist between the duties of Customs to be levied in Italy on British and French goods respectively during the interval of time to which I have alluded.

I have the honour also to enclose the copy of a letter which Signor Manna addressed to me upon forwarding to me the enclosed tariff.

I beg to add, that I have read this Despatch to M. Minghetti, who confirmed the declaration made to me by his colleague, and expressed his his hope that a general treaty of amity and commerce would be concluded between Great Britain and Italy before the ratification of the treaty between France and Italy.

I have, &c.
(signed) *James Hudson.*

Enclosure 2, in No. 44.

Signor *Manna* to Sir *J. Hudson.*

Turin,
M. le Ministre, le 15 Juillet 1863.

J'AI l'honneur de vous transmettre ci-joint un travail de comparaison entre le Tarif Conventionnel annexé au traité entre le France et l'Italie et le Tarif Général Italien.

Dans ces deux tarifs j'ai fait marquer par une petite croix tous ces Articles sur lesquels nous avons consenti à une réduction.

Ainsi vous pourrez vous faire une idée claire et précise de la position qui est faite au commerce Français vis-à-vis de l'Italie d'après le traité, et par conséquent les réductions dont le commerce et l'industrie Anglaises profiteraient par la stipulation d'un traité de commerce avec nous.

Et remarquez que sans cette nouvelle stipulation les produits Anglais ne peuvent pas être admis au même traitement que les produits Français, parceque l'Article XI. du traité de 1851 entre l'Angleterre et la Sardaigne et un Article analogue entre l'Angleterre et l'ex-Royaume des Deux Siciles garantissent ce traitement de la nation plus favorisée qu'avec une compensation si les faveurs ou immunités ont été accordés à titre onéreux à une autre Puissance. Or tous les déprivements de douane que nous avons accordés à la France sont le correspondant non seulement de l'application aux produits Italiens des Tarifs Conventionnels Français avec l'Angleterre et la Belgique, mais aussi d'autres réductions consentis à nos produits dans notre traité spécial.

C'était pour cela que, voulant donner des gages de notre déférence pour le Gouvernement Anglais, nous avions proposé d'échanger des notes par lesquels chacun des deux Gouvernements se serait engagé à prendre en considération les demandes de l'autre relatives à des nouvelles réductions de tarif, et en attendant on aurait stipulé un simple traité de révision générale des traités précédents, et dans ce nouveau traité nous aurions insérée une clause par laquelle il serait établi entre les deux pays une réciprocité absolue et le traitement de la nation la plus favorisée sans conditions. C'est, vous le voyez, M. le Ministre, une grande marque de déférence pour le Gouvernement Anglais. En ajournant pour le moment la question des tarifs, l'Angleterre profiterait tout de suite du Tarif Conventionnel Français.

Voilà, M. le Ministre, tout ce que j'avais à vous dire en réponse à l'obligeante communication que vous avez eu la bonté de me faire.

Agréez, &c.
(signé) *Jean Manna.*

No. 45.

Mr. *Booth* to Mr. *Layard.*

Office of Committee
of Privy Council for Trade,
Sir, Whitehall, 25 July 1863.

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 22d instant, enclosing, by direction of Earl Russell, copy of a Despatch from Her Majesty's Minister at Turin, with a copy of a communication from M. Manna, the Italian Minister of Commerce, on the subject of the pending negotiation for a new commercial treaty with the kingdom of Italy, and stating that Lord Russell strongly recommends that the terms proposed by M. Manna should be accepted by Her Majesty's Government.

Under the circumstances of the case, as reported by Sir J. Hudson, my Lords concur with Lord Russell in thinking that it will probably be the best course to accede to the wish expressed by the Italian Government, that a general treaty of amity and commerce should be concluded at once between Great Britain and Italy, before the ratification of the treaty between France and Italy.

With this view they presume, with reference to the statement made to Sir J. Hudson by Signor Minghetti, to the effect that he had nothing to object to the draft treaty proposed by Her Majesty's Government on the 11th of last June, with the exception of the IIIrd Article, that it will only be necessary to instruct Her Majesty's Minister at Turin to proceed at once to the signature of the treaty, with the omission of the Article in question.

They think, however, that in agreeing to the course proposed by the Italian Government, Her Majesty's Minister at Turin should be instructed to

to state that Her Majesty's Government have done so from a wish to meet the views of the Italian Government as to the particular form in which the commercial advantages granted by their recent treaty with France should be extended to this country; but that they think that whatever may be the technical construction which might be placed upon the XIth Article of our treaty with Sardinia of 1851, and upon the analogous Article referred to by M. Manna in our treaty with the Two Sicilies of 1845, those advantages could not, upon any equitable principle, be withheld from Great Britain, irrespective of all further concessions to Italian trade.

In conclusion I am to remark, that in the XXIInd Article of the draft treaty proposed to the Italian Government by Sir J. Hudson, on the 11th June last, the treaties between Great Britain and Tuscany of April 5, 1857, and of December 30, 1854, are omitted in the recital of the treaties for which the proposed treaty is to be substituted.

I am, &c.
(signed) *James Booth.*

No. 46.

Mr. *Layard* to Mr. *Booth.*

Sir, Foreign Office, 3 August 1863.

I AM directed by Earl Russell to request that you will state to the Lords of the Committee of the Privy Council for Trade that he has been informed, by telegraph, by Sir James Hudson that the Council of Ministers at Turin have considered the draft treaty of commerce proposed by Her Majesty's Government. They submit that the second paragraph of Article V. is unnecessary, as all transit dues have been abolished, and they proposed to substitute for Article XVI., respecting religion, an exchange of notes in the same sense, because the Constitution guarantees all that the Article contains, and because Great Britain has (as they allege) no such Article in a treaty with a civilized State. They accept the rest.

Lord Russell requests that you will move their Lordships to inform him as soon as possible whether, so far as the Board of Trade is concerned, it is necessary to insist upon these stipulations.

I am, &c.
(signed) *A. H. Layard.*

No. 47.

Mr. *Mallet* to Mr. *Layard.*

Office of Committee
of Privy Council for Trade,
Sir, Whitehall, 3 August 1863.

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of this day's date, informing this Board that the Council of Ministers at Turin have accepted the draft treaty proposed by Her Majesty's Government, with the exception of the second paragraph of Article V., which they consider unnecessary, and of Article XVI., which they object to on the ground that no such Article is contained in a treaty with a civilized State, and requesting to know whether, so far as the Board of Trade is concerned, it is necessary to insist on these stipulations.

In reply, I am to request that you will state to Earl Russell that my Lords have no objection to the omission of the second paragraph of Article V., provided that the provisions of the first paragraph be made to apply to the transit trade.

The Article might be altered in the following manner:—

"The subjects of the contracting parties shall enjoy in the dominions and possessions of the other equality of treatment with native subjects in all that relates to the transit trade, and also in regard to warehousing, bounties, facilities, and drawbacks."

The remaining three paragraphs might, in the opinion of this Board, be omitted altogether, although my Lords could not object to the retention of the third paragraph, if it is desired by the Italian Government; but in this case the word "Italian" should be omitted, so that the stipulation may apply equally to the administration of either country.

My Lords have no objection to the omission of Article XVI.

I am, &c.
(signed) *Louis Mallet.*

No. 48.

Mr. *Murray* to Mr. *Mallet.*

Sir, Foreign Office, 17 August 1863.

WITH reference to your letter of the 3d instant, relative to a proposed Treaty of Commerce and Navigation between Her Majesty and the King of Italy, I am directed by Earl Russell to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, a printed copy* of that treaty, which was signed at Turin on the 6th instant. Their Lordships will observe that its ratifications have not yet been exchanged.

I am, &c.
(signed) *James Murray.*

No. 49.

Mr. *Hammond* to Sir *J. Emerson Tennent.*

Sir, Foreign Office, 30 October 1863.

WITH reference to the letter from this department of the 17th of August last, enclosing a printed copy of a Treaty of Commerce and Navigation between Her Majesty and the King of Italy, signed at Turin on the 6th of that month, I am directed by Earl Russell to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that the ratifications of that treaty were exchanged at this office on the 29th instant.

Lord Russell will cause a copy of the treaty to be published in the "Gazette" of the 3d of November.

I am, &c.
(signed) *E. Hammond.*

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* This Enclosure does not appear here.

I N D E X

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

TRADE WITH FOREIGN NATIONS.

Ordered, by The House of Commons, *to be Printed*,
15 *July* 1864.

493—I.

ANALYSIS OF INDEX.

ALPHABETICAL and CLASSIFIED LIST of the PRINCIPAL HEADINGS in the following INDEX, with the Pagings at which the same will be respectively found.

PAGE

Austria - - - - - - - - - - - 3

BELGIUM:

1. *Evidence on the part of Bradford, and the Bradford Chamber of Commerce, relative to the action of the Foreign Office with regard to the Franco-Belgian and Anglo-Belgian Treaties* - - - - 5
2. *Explanatory Statements on the part of the Foreign Office and Board of Trade* - - 7
3. *Correspondence in detail relative to the Treaty between Great Britain and Belgium* - - - - - - - - 8
4. *Papers explanatory of the system of the Departments in Belgium for dealing with Commercial Negotiations* - - - 8

BOARD OF TRADE:

1. *Present Functions of the Department, and Practice in the Transaction of Business* - 8
2. *Efficiency of the Staff* - - - - 9
3. *Office of President* - - - - - 9
4. *Office of Vice-President* - - - - 9
5. *Nominal Character of the Board or Committee* - - - - - - - - 9
6. *Expediency of increased importance being given to the Department* - - - 9
7. *Commissions of* 1853 *and* 1863 - - 10
8. *Question considered as to the expediency of direct communication with the Consular and Diplomatic Servants* - - - - 10
9. *Question of Communication with the Foreign Ministers in London and Abroad* - - 11
10. *Question of rendering the Board more efficient and responsible with reference to Foreign Trade and Treaties, or of depriving it of its Consultative Functions* - 11
11. *Correspondence on the subject of the Belgian Treaty* - - - - - - - 12
12. *Correspondence relative to Treaty Negotiations with Italy* - - - - - 12
13. *Conclusions and Recommendations of the Committee* - - - - - - - 12

Belgium - - - - - - - - - 5
Bradford Chamber of Commerce - - - - 14
Colonial Office - - - - - - - - 18
Commercial Classes - - - - - - - 18
Commercial Department - - - - - 19
Consuls and Consular Reports - - - - 20
Delay - - - - - - - - - - 23

BOARD OF TRADE—continued. PAGE

Deputations - - - - - - - - 24
Foreign Office - - - - - - - - 27
France, 1 - - - - - - - - - 34
Japan - - - - - - - - - 44
Manchester - - - - - - - - 51
Reciprocity Treaty - - - - - - - 54
Responsibility - - - - - - - - 55
Statistical Department - - - - - - 61
Sugar Duties - - - - - - - - 62
Treasury - - - - - - - - - 64

BRADFORD CHAMBER OF COMMERCE:

1. *Communications from the Chamber on the subject of the Belgian Tariff, and the Franco-Belgian Treaty* - - - - 14
2. *Representations on the subject of the Italian Tariff* - - - - - - - - 15
3. *French Commercial Treaty* - - - 15
4. *Question of a French Consulship at Bradford* - - - - - - - - 15
5. *Practice of the Chamber as to communicating in Duplicate with the Foreign Office and Board of Trade* - - - - - 15
6. *Origination by the Bradford Chamber of the present Inquiry* - - - - - 15

Belgium - - - - - - - - - 5
Italy - - - - - - - - - - 42
Russia - - - - - - - - - 59
Spain - - - - - - - - - 60
Sweden - - - - - - - - - 62

Chambers of Commerce - - - - - - 16
Belgium - - - - - - - - - 5
Bradford Chamber of Commerce - - - 14
Commercial Classes - - - - - - - 18
Deputations - - - - - - - - 24
Dundee - - - - - - - - - 26
Foreign Office - - - - - - - - 27
Italy - - - - - - - - - - 42
Manchester - - - - - - - - 51

Colonial Office - - - - - - - - 18

Commercial Classes - - - - - - - 18
Belgium, 1 - - - - - - - - 5
Bradford Chamber of Commerce - - - - 14
Chambers of Commerce - - - - - - 16
Deputations - - - - - - - - 24
Foreign Office - - - - - - - - 27
Italy - - - - - - - - - - 42
Publication of Commercial Information - - 54

Commercial Department - - - - - - 19

Consuls and Consular Reports:

1. *Statements in favour of the Consuls communicating more directly with the Board of Trade* - 20
2. *Evidence opposed to the foregoing Proposition* - 20
3. *Suggested Communication between a Commercial Department in the Foreign Office and the Agents Abroad* - 21
4. *Question of Despatches docketed as "Commercial," being sent on at once from the Foreign Office to the Board of Trade* - 21
5. *Considerations as to the Efficiency or Inefficiency of the Consular Service* - 21
6. *Omission on the part of many Consuls to report to the Foreign Office* - 22
7. *Suggested transmission of the Consuls' Reports to the Chambers of Commerce* - 22
8. *Practice considered in regard to the Publication of the Reports* - 22
9. *Transmission of the Reports from the Foreign Office to the Board of Trade* - 23

Cotton Trade - 23

Delay:

1. *Representations as to the Occurrence and Causes of Delay under the present System* 23
2. *Explanations on the part of the Foreign Office; denial that any material Delay occurs* - 24

Belgium - 5
Foreign Office - 24
Italy - 42
Zollverein - 65

Diplomatic Service:

1. *Qualifications of the Foreign Agents considered with reference to their action in Commercial Matters* - 25
2. *Question of Communication between the Board of Trade and the British Ministers and Agents Abroad* - 25

Dundee - 26

Foreign Office:

1. *Explanations as to the present Practice of the Office in the transaction of Business* - 27
2. *Exceptions taken to the present System as regards Commercial Matters* - 28
3. *Exemption of the Officials from Fault* - 29
4. *Evidence in defence and approval of the present System of the Office, and of its relations with the Board of Trade* - 29
5. *Harmonious Action between the two Departments* - 30
6. *Question as to the present System having produced but barren Results* - 30
7. *Evidence in support of a Commercial Department in the Foreign Office, as a means of obviating the double action under the present System* - 30
8. *Evidence opposed to the foregoing Proposition* - 31
9. *Statements in favour of a Special Clerk for attending to Communications with the Board of Trade* - 32
10. *Objections to the foregoing Proposal* - 33
11. *Question of Communication with Subordinates in the Board of Trade* - 33

Foreign Office—continued. PAGE

12. *Question of relegating to the Board of Trade the primary consideration of Commercial Despatches and Details* - 33
13. *Suggestion that the question of improved Regulations had better have been left to the Departments themselves* - 33
14. *Details as to the part taken by the Office in regard to the Belgian and Italian Treaties* 33
15. *Relations between the Foreign Office in other Countries and the Ministry of Commerce* - 33
16. *Conclusions and Recommendations of the Committee* - 33

Admiralty - 1
Austria - 3
Belgium - 5
Board of Trade, 1. 10 - 8
Bradford Chamber of Commerce - 14
Chambers of Commerce - 16
Cobden, Mr. - 18
Commercial Classes - 18
Commercial Department - 19
Consuls and Consular Reports - 20
Cotton Trade - 23
Delay - 23
Deputations - 24
Diplomatic Service - 25
France - 34
Italy - 42
Manchester - 51
Prussia - 53
Publication of Commercial Information - 54
Reciprocity Treaty - 54
Responsibility - 55
Russia - 58
Shipping - 59
Slave Trade Department - 60
Spain - 60
Sweden - 62
Treaties of Commerce - 64
Treaty Department - 64
Zollverein - 65

France:

1. *Treaty of Commerce between France and Great Britain* - 34
2. *System in France of dealing with Commercial Questions and Negotiations* - 34
3. *Offer on the part of France to admit a British Representative to her Negotiations with other Countries* - 35

"Annales du Commerce" - 1
Belgium - 5
Italy - 42
Paper Trade - 52

Free Trade - 35

Italy:

1. *Complaints by the Commercial Community as to the action of Government in the matter of the Franco-Italian Treaty, and in the subsequent Negotiations with Italy* - 42
2. *Explanatory Statements on the part of the Foreign Office and Board of Trade* - 43
3. *Statements and Counter-statements as to the Communication with Signor Marliani when in London* - 44
4. *Correspondence in detail relative to the Treaty between Great Britain and Italy* - 44
5. *System in Italy of dealing with Commercial Questions and Negotiations* - 44

	PAGE
Jute Trade	44
Manchester	51
Paper Trade	52
Political Questions (*Treaties of Commerce*)	53
Prussia	53
Publication of Commercial Information	54
Zanzibar (*Consul's Report*)	54
Reciprocity Treaty (*Canada and United States*)	54
Responsibility	55
Russia	59
Shipping (*Differantial Dues*)	59
Spain	60
Treasury	64
Treaties of Commerce	64
Austria	3
Belgium	5
Board of Trade	8
Foreign Office	27
France, 1	34
Italy	42
Political Questions	53
Prussia	53
Reciprocity Treaty (*Canada and United States*)	54
Russia	59
Zollverein	65

I N D E X.

[*N. B.*—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; those following *App.*, to the Pages in the Appendix; and the Numerals following *Rep.*, to the Pages in the Report.]

A.

ADMIRALTY. Very similar character of the communication of the Foreign Office with the Admiralty and with the Board of Trade, *Hammond* 1753-1757. 1832-1836——Much larger communications or receipts from the Admiralty than from the Board of Trade, *ib.* 1754—— Conclusion, that there is no greater reason for amalgamating with the Foreign Office a portion of the Board of Trade than a portion of the Admiralty or of any other department, *ib.* 1756, 1757.

Akroyd, Edward. (Analysis of his Evidence.)—Is largely engaged in the worsted manufacture at Halifax; is President of the Halifax Chamber of Commerce, 883-885—— The Halifax Chamber, and the chambers of commerce generally, consider that there should be more immediate action on the part of Government in carrying out the representations of the commercial interests in matters of foreign trade, 886——Witness cites a passage from the annual report of the associated chambers as showing the impression of the commercial community as to the defects of the present system of the Foreign Office and the Board of Trade, 886, 887.

Statement as to deputations being referred from the Foreign Office to the Board of Trade, and from the Board of Trade to the Foreign Office under the present system of two departments and divided responsibility; instance of this, 887. 893-900——Courtesy and attention experienced at the hands of the officials, the system being alone to blame, 887—— Multiplicity of duties now devolving upon the Board of Trade, and advantage hereon if the functions of the department were confined entirely to inland trade and maritime affairs, 887. 891.

Proposition that a minister of commerce be attached to the Foreign Office, who should should conduct commercial negotiations with foreign countries, and should have the appointment and surveillance of consuls abroad, 887-892——All political matters should rest with the Foreign Office, independently of the office of the minister of commerce, both offices being in the same building, 888-892——Suggestion as to the course to be pursued by this country in connexion with the negotiation of treaties of commerce between France and foreign countries, 892.

Allhusen, Christian. (Analysis of his Evidence.)—Has for many years been exclusively engaged in commerce at Newcastle, 874-876——Represents the Newcastle Chamber of Commerce, and submits a memorial (*App.* 257-259) to the Committee on behalf of the chamber, 877-880——Submits also a summary of the evidence which he is prepared to lay before the Committee, 881, 882.

Alston, Mr. Statement by Mr. Alston, one of the senior clerks in the Foreign Office, in defence of the present action of the Foreign Office and Board of Trade upon commercial questions, *Hammond* 1825.

"*Annales du Commerce*" (*France*). Very valuable information given by the French Government upon commercial matters, by means of the "Annales du Commerce"; usefulness of this publication to English merchants, *Behrens* 501-506——Official character of the "Annales du Commerce;" it is prepared by the minister of commerce and agriculture, *ib.* 671-674.

Illustration of the important character of the information in the "Annales du Commerce," *Mallet* 2460-2462——Totally distinct character of the "Annales du Commerce," as compared with the "London Gazette," as a vehicle of publication, *ib.* 2804-2807—— Duty of the Board of Trade rather than of the Foreign Office to set on foot a publication like the "Annales du Commerce," *ib.* 2806, 2807. 2811, 2812.

Report, 1864—*continued.*

Ashworth, Henry. (Analysis of his Evidence.)—Is extensively engaged in the cotton trade; is President of the Manchester Chamber of Commerce, 901–904——Large extent of district, and enormous interests in cotton manufacture, represented by the Manchester Chamber, 905–908——Statement showing the immense extent of the cotton manufacture and export of Lancashire and Cheshire, 907——Reference to the magnitude of the diplomatic and consular service, and the large public expense incurred in respect thereof, as compared with the small result obtained as regards the demands of the cotton trade, 909–912.

Understanding as to the chambers of commerce being precluded from intercourse with the consuls, 910——Statement of the number and character of the communications received by the Manchester Chamber from the Foreign Office over a period of eight years; total of eighteen communications, only three of which related to foreign tariffs, 912–915——Doubt as to the chamber having been informed by the Foreign Office or Board of Trade of the mission of an Italian envoy to England with reference to treaty arrangements in 1863, 916–919——Total of only sixteen communications received from the Board of Trade in eight years, exclusive of printed documents; nature of these communications, 920–922.

Statement as to the Manchester Chamber having been referred from the Board of Trade to the Foreign Office and back again, with regard to some papers relating to the Philippine Islands, 923–925——Conclusion of the Manchester Chamber as to the Board of Trade being the proper and responsible department for the supervision and conducting of matters relating to foreign trade, 926–929. 938–941——Very efficient staff of the Board of Trade, 930——Approval of increased weight and responsibility being attached to the functions of this department, 930. 941, 942——Difficulty as to which department is to be blamed for the unsatisfactory results produced, 931.

Circumstances under which the Manchester Chamber waited upon Lord Palmerston early in 1864, with a memorial relative to the inadequate attention paid to the demands of commerce, 932–934——In former interviews with the two departments, the representatives of the Chamber had remarked upon the inefficiency of the arrangements between the two offices, 933. 935, 936——Exceptions taken to Lord Palmerston's defence of the present system, as well as to his statement that we could not look for a reduction of foreign tariffs, as we had now nothing to give in return, 936, 937. 1018–1021. 1096.

Further evidence on the subject of our large and expensive establishments abroad, and the small results derived as regards our export trade; conclusion as to the very imperfect action of the diplomatic and consular staff, 943–981. 1001–1017. 1025–1049——Very small value of our exports to Austria as compared with France; inference as to the inefficiency of our consuls, 944–947. 1077–1083——Amendments contemplated by witness in the appointment of consuls, as regards the qualifications to be required, 946–957——Suggestions as to the dissemination of information by the consuls and diplomatic agents, 958–961. 968–972. 1031–1037.

Advantage if the consuls or diplomatic agents were promoted or rewarded with reference to the services done by them to commerce, 961–963. 977. 1013–1017——Improvement if the consuls were in communication with the Board of Trade, 976, 977——Very little use of the commercial information afforded to Manchester by Government, either in direct communications or through the "London Gazette," 978. 1063–1076. 1098–1101——Delay on the part of Government when tariff negotiations have been going on between foreign powers, 979.

Uselessness to Manchester of the favoured nation clause in the case of Italy and the French treaty, 979. 982–986. 1087. 1116–1123——Very little use of the consular reports; statement hereon as to witness not reading these reports, and as to the Manchester Chamber not taking in the "London Gazette," which contains them, 980, 981. 1025–1027. 1059–1076. 1124–1126——Limited importance of statistics of silk as compared with cotton statistics, 987–1000.

Expediency of such a change of the present system, that one department may be entirely responsible, 1022–1024——Witness condemns the operations of our agents abroad by the barrenness of the results, but is not cognisant of the precise duties entrusted to the diplomatic service and consular service respectively, 1025–1049——Grounds for the statement, that in the competition for treaties of commerce France has latterly beaten us, 1050–1058——Examination as to witness's data for the conclusion that Government have generally been neglectful of the commercial interest in the matter of foreign tariffs, and have not made the required representations, 1077–1115——Nature of the representation which might have been made to Italy with a view to reductions in their tariff in the case of cotton goods, &c., 1102–1106. 1112–1114.

Attachés. The attachés have been converted into second and third secretaries of embassy and legation, *Morier* 3136, 3137.——*See* also *Diplomatic Service.*

Austria.

Austria. Very high and complicated character of the Austrian tariff; reference hereon to the questions now open between Austria and the Zollverein, *Behrens* 561. 662-667——Examination to the effect that, though the most favoured nation clause could not now be obtained from Austria, it might have been obtained if there had been proper action taken on former occasions, and efforts should now be made to obtain it prospectively, *ib.* 738–745. 754–790——Very small value of our exports to Austria as compared with France; inference as to the inefficiency of our consuls, *Ashworth* 944–947. 1077–1083.

Doubt as to there being any negotiations going on for a treaty of commerce with Austria; question hereon whether a new tariff, published in Austria last year, with reference to the Zollverein, should not have been more promptly communicated to the Board of Trade, *Mallet* 2762–2775——Witness cannot say whether the Austrian Government were prepared to enter into a treaty with this country, or whether the British Government have been in communication with Austria upon the subject, *ib.* 2793-2798——Belief that earlier application to Austria or Prussia would not have led to their giving us the most favoured nation clause at any earlier period, *ib.* 2873–2875.

Differential duties upon tobacco required by Austria in the event of concessions by that country, *Earl Russell* 3068——Close connection between commercial and political affairs in Austria, with reference to the Zollverein, *ib.* 3073.

Statement as to witness having been sent by the Foreign Office to Vienna and Madrid in December 1862, and as to his having reported fully upon the negotiations between France and the Zollverein, and between Austria and Prussia, *Morier* 3140–3143——Distinct refusal by Austria to enter into negotiations with this country until relations with the Zollverein were settled, *ib.* 3150, 3151.

Communications from Lord Bloomfield to Earl Russell in April 1864, explanatory of the relations between the Foreign Office and Ministry of Commerce on commercial affairs, *App.* 279, 280.

B.

Baden. Statement explanatory of the action respectively of the Ministry of Foreign Affairs and the Ministry of Commerce in the Grand Duchy of Baden, in regard to commercial matters, and negotiations with foreign countries, *App.* 289. 290.

Barron, Mr. Very able reports received from Mr. Barron, foreign agent at Brussels, *Mallet* 2818.

Batley Chamber of Commerce. Memorial from the Batley Chamber of Commerce, dated 8th April 1864, on the subject of the Italian tariff, *Hammond* 1702.

Bavaria. Communication from Mr. Bonar to Earl Russell, dated Munich, 1st May 1864, containing information as to the relations between the Foreign Department and the Department of Commerce of Bavaria, *App.* 290.

Behrens, Jacob. (Analysis of his Evidence.)—Has been extensively engaged in business at Bradford for many years, his trade extending to most parts of the Continent, 423-427——Is vice-president of the Bradford Chamber of Commerce, and has constantly supplied information to the Chamber with regard to the foreign duties upon Bradford goods, 428–430——In 1853 the Chamber made representations to Government on the subject of the differential duties in Holland, and in 1854 these duties were removed, 431–433.

Disadvantageous position of the Bradford trade as regards Belgium when witness first examined the Belgian tariff in 1854; undue preference given to French goods, 434–436——Steps taken by the Bradford Chamber in 1854 and 1856, with a view to this country being treated as the most favoured nation, with reference to the arrangements between Belgium and France, 437–445——Statement as to the Foreign Office having been of the same opinion as the Bradford Chamber as to the effect of the most favoured nation clause in the treaty of 1851, whilst the Board of Trade were of a different opinion, 441–447——Mr. Wickham and the secretary of the Bradford Chamber laid a paper before Mr. Hammond, who subsequently said he "could not pick a hole in it," 441.

Constant representations made by the Bradford Chamber to the Foreign Office on the subject of the undue preference given by Belgium to France; want of information displayed on the subject by the Foreign Office, 448–450——Memorial from the Chamber in November 1860 as to the probable increase of the then existing preference to French goods, 451, 452——Very prejudicial character of the preference in the interval between the Franco-Belgian treaty of 1861 and the Anglo-Belgian treaty of 1862; illustration of this, 453–456——Grounds for concluding that it would have been easier to procure satisfactory terms from Belgium if proper effort had been made before the Franco-Belgian treaty was concluded, 457–470.

Very high and vexatious character of the Spanish tariff as regards Bradford goods, 471–473——Frequent changes in the Spanish tariff during the last few years, 474–476——Reference to a certain Bill brought in by the Spanish Government in January 1863, of which the Bradford Chamber were not informed by the Board of Trade until the 17th March following, 477–483——Statement as to a Spanish decree, in February 1862,

Report, 1864—*continued.*

Behrens, Jacob. (Analysis of his Evidence)—*continued.*

which affected Bradford goods, not having been brought by Government to the notice of the Bradford Chamber; information first obtained on the subject through the "Moniteur," 484–493.

Circumstance of there not being any report from a secretary of legation relative to the general trade of Spain, 494–498——Nor is there any report from Russia by the secretary of the embassy, 497, 498——Usefulness of the commercial reports of secretaries of embassies; great delay at times before they are received by the chambers of commerce, 499, 500——Very valuable information given by the French Government upon commercial matters, by means of the "Annales du Commerce;" usefulness of this publication to English merchants, 501–506——Reference to the heavy differential duty in favour of Spanish shipping; an intention to increase this duty was not made known to the Bradford Chamber by Government, 507–509.

Statement as to the Bradford Chamber not having been able to obtain the required information from the Foreign Office on the subject of the Franco-Italian treaty, 510–512——Grounds for concluding that Mr. Mallet was sent to Italy at too late a period to be of any service, 513–519. 695–698——Advantage if the Bradford Chamber had been placed in communication with the Italian envoy when in England, 520–522.

Benefit derived by the Bradford trade under the French commercial treaty, from the circumstance of the trade having been represented by witness and others when the negotiations were being carried on at Paris, 523–525——Advantage in English manufacturers being placed in contact with the Government of any country when revising its tariff with another nation, 526–529——Great cause for complaint in the Manchester trade, but not in the Bradford trade, in regard to the existing Italian tariff, 530–535——Prohibitory effect of the Russian tariff upon the export of Bradford goods to Russia, 536–538——Changes made in the Russian tariff in 1863; understanding as to the French Ambassador having been consulted, 539–542. 723, 724.

Reference to and comment upon certain communications from the Foreign Office and the Board of Trade to the Bradford Chamber of Commerce, in September and December 1861, on the subject of the Zollverein treaty, 543–548——Conclusion that Mr. Mallet was sent at too late a period to Berlin with respect to the Zollverein treaty with France, 549–552——Virtual ratification of the Zollverein treaty as between France and Prussia, 553–556——Expediency of a clear understanding that England is to be placed by Prussia under the most favoured nation clause, 557–560.

Very high and complicated character of the Austrian tariff, 561——Statement as to the Bradford Chamber having memorialised the Foreign Office in November 1863, with reference to negotiations between France and Sweden; apprehension that no steps will be taken by Government until it is too late, 562–566——Several causes to which the delay, generally, on the part of Government is attributable, 567——Instance, in 1856, of the want of information in the Board of Trade on the subject of foreign commercial matters, 568–570.

Opinion as to the more valuable character of the French consular reports than of the information given by the English consuls, 571, 572——Very excellent reports by Mr. Ward, consul at Hamburg, 572——Inexpediency of the abolition of the English consulship at Paris, 573–576——Great disadvantage in having to deal with two departments of Government with regard to foreign commerce, 577–580——Satisfactory manner in which the negotiations in connection with the French treaty were carried on, 578. 600–604. 638.

Strong feeling on the Continent in favour of free trade; instance of this in Belgium, 581–583——Inexpediency, in the interests of commerce, of the chambers of commerce being obliged to make public representations to Government on the subject of foreign tariffs, 584–589. 613, 614. 631–634——Necessity of the department conducting negotiations being possessed of all the commercial information that is necessary, 590–592——The commercial question and political question are so involved that the same department should equally represent both, 593–597. 635–637——Reference to a report by the Swiss consul at Japan, as a model for consular reports, 598, 599.

Further statement as to the system of two departments having frequently resulted in omissions and delays, 605–612——Want of prompt and commercial information on the part of Government adverted to as owing chiefly to omission on the part of the diplomatic and consular agents abroad, 615–623——Expediency of the department conducting negotiations being informed and advised by officials in the same department, 624–630——The main grievance is that commercial questions do not receive that attention which they ought to do, 635–637.

Grounds for concluding that the Foreign Office should deal with the commercial question in reference to foreign tariffs, and that the agents abroad would attach much more importance to supplying commercial information if the investigation of commercial matters rested with the Foreign Office instead of the Board of Trade, 640–658——Probable advantage if Government had made some better effort in the case of Spain, 645——

Secondary

Report, 1864—*continued.*

Behrens, Jacob. (Analysis of his Evidence)—*continued.*

Secondary importance now attached by our foreign agents to commercial questions, 657.

Undue delay in the publication of the consular reports, so that their value is not much, 659-661——Very high tariff of Austria further adverted to; question at present between Austria and the Zollverein, 662-667——In witness's trade the Franco-Italian treaty has not made matters any worse, 668-670——Reference to the official character of the "Annales du Commerce Extérieur," 671-674.

Examination as to witness's grounds for concluding that, if we had applied in proper time to Belgium, concessions would have been granted much sooner, 675-687——Further reference to the grounds of complaint relative to the proceedings of Government in regard to changes in the Spanish tariff, 688-694——Consideration of witness's reasons for condemning the course pursued in reference to the Franco-Italian treaty; he knows nothing of the private negotiations between the English and Italian Governments on the subject, 695-711. 853-863——Statement that no demand was insisted upon in regard to the Bradford or Lancashire trade in the case of the Italian treaty, 705-709. 853-857.

Statement as to the French commercial treaty having been successfully carried through, notwithstanding the relations between the Foreign Office and Board of Trade, 712-722 ——Advantage of Mr. Mallet instead of Mr. Ward or in addition to him had been sent to Prussia in the first instance, 725-733——Binding character of the treaty between France and Prussia, though not ratified, 734-737——Examination to the effect that though the most favoured nation clause could not now be obtained from Austria and Prussia, it might have been obtained if there had been proper action taken on former occasions, and efforts should now be made to obtain it prospectively, 738-745. 755-790.

Witness approves of secret negotiations by Government in the matter of foreign tariffs, but concludes there have been no such negotiations with any amount of success, 746-754. 861-863——Right of Government to ask other nations for the most favoured nation clause, but not to ask for any reduction of the tariffs; illustration in the case of Prussia, 755-790. 829-831——Question as to the want of a consul at Paris further adverted to, 791-796——Consideration of objections to the proposition that that portion of the Board of Trade which relates to foreign commerce should be incorporated into the Foreign Office, 797-810. 850-852.

Expediency of Government collecting commercial information, and disseminating it to the chambers of commerce as promptly and efficiently as possible; defects of the system of publication in the "Gazette" adverted to hereon, 806-825——Circumstance of it having been found necessary in 1863 to issue a circular to the diplomatic and consular agents on the subject of the information in their reports, 826-828——Importance of the diplomatic and consular body constantly calling the attention of foreign governments to the principles of free trade, and the expediency of reducing their tariffs, 829-834.

Advantageous position of France in regard to commercial treaties, and as a means of bringing about reductions in the tariffs, 835-843. 847-849. 872——Several treaties already made by France with foreign countries for reductions of their tariffs, 839-843 ——Reference to the negotiations between the English and Italian governments as having resulted in much offence being given to the latter, 844-846.

Witness concludes finally, that the Foreign Office has been neglectful in its requisitions and its communications generally with foreign governments, 860-863. 865-873——The system of twofold offices is altogether wrong, but the men are not at all to blame, 864.

BELGIUM:

1. *Evidence on the part of Bradford, and the Bradford Chamber of Commerce, relative to the Action of the Foreign Office with regard to the Franco-Belgian and Anglo-Belgian Treaties.*
2. *Explanatory Statements on the part of the Foreign Office and Board of Trade.*
3. *Correspondence in detail relative to the Treaty between Great Britain and Belgium.*
4. *Papers explanatory of the System of the Departments in Belgium for dealing with Commercial Negotiations.*

1. *Evidence on the part of Bradford, and the Bradford Chamber of Commerce, relative to the Action of the Foreign Office with regard to the Franco-Belgian and Anglo-Belgian Treaties:*

Frequent presentation of memorials from the Bradford Chamber of Commerce previously to the Franco-Belgian treaty of 1861, upon the subject of trade with Belgium, and the preference given by Belgium to French goods over English goods, *Ripley* 8-29 ——Preference to French goods over English goods under the Belgian duties, previously to 1861; great increase of this preference by the treaty of that year, *ib.* 11-20——Instances of the great increase under the last Franco-Belgian treaty of the preference already

Report, 1864—*continued*.

BELGIUM—continued.

1. *Evidence on the part of Bradford, &c.*—continued.

already existing, *Ripley* 15–19——Duty of the British Government to have taken steps for removing the preference complained of by the Bradford Merchants, *ib.* 20, 21.

Communication from the Bradford Chamber of Commerce to Lord John Russell, as Foreign Secretary, dated 3 November 1860, relative to the expediency of the British trade with Belgium being placed upon a footing of equality with that of other nations, *Ripley*, 22, 23——Statement as to no answer having been received from the Foreign Office to the foregoing letter, nor to a subsequent letter on the 18th December, *ib.* 24–26——Further letter from the Chamber of Commerce, dated 4th January 1861, relative to the undue privileges in Belgium to French goods as compared with English goods, *ib.* 27–29——Acknowledgment by the Foreign Office on 3d January 1861, of the receipt of the letters of November and December 1860, *ib.* 30, 31——Circumstance of the letter of 3d November 1860, not having been forwarded by the Foreign Office to the Foreign Minister at Brussels until the 3d January 1861; loss of very valuable time thereby, *ib.* 32. 35–37.

Grounds for concluding that neither the Board of Trade nor the Foreign Office had really looked into the question up to the end of 1860, *Ripley* 33–35——Letter from the Foreign Office to the Bradford Chamber of Commerce, dated 11th January 1861, conveying an assurance that there was no intention on the part of the Belgian Government to make any distinction between the import duties upon French and British woollens; satisfaction felt with this letter, *ib.* 38–40——Reference to the passing of the Franco-Belgian treaty, and the representation consequently made by the Bradford Chamber to the Foreign Office; reply to this representation on 22d May 1861, *ib.* 40–49——Subsequent communication from the Chamber of Commerce to the Board of Trade, representing the expediency of steps being taken for the due protection of British merchants in the treaty or negotiation then pending with Belgium, *ib.* 50–53.

Conclusion as to its having been owing to the omission or neglect of the Foreign Office that Belgium did not concede the same privileges to this country as to France, *Ripley* 54–59——United action of various other chambers of commerce and of the Bradford Chamber in June and July 1861, when it was suggested that Mr. Cobden should be asked to go to Brussels on the subject of the new tariff, *ib.* 60–66——Active measures taken by the chambers of commerce in May 1862, relative to the Belgian treaty; shortly after this movement the treaty was signed, *ib.* 70–74.

Further statement as to the probability of equal concessions by Belgium to England as to France, if the Foreign Office had been more prompt in making representations on the subject, *Ripley* 139–144. 160 *et seq.*——Reference to a memorial from the Bradford Chamber of Commerce to the Foreign Office in January 1859, and to the reply of Lord Malmesbury, with regard to the Belgian treaty of 1851, *ib.* 145–149——Grounds for considering that if the Foreign Office had acted with energy and promptitude, Belgium would at the same time have made the same concessions to this country as to France, *ib.* 159–188——Injurious effect upon the Bradford trade in the interval between the conclusion of the Franco-Belgian treaty and the Anglo-Belgian treaty, *ib.* 184–186. 306–311.

Assurances given by the Foreign Office, in the time of Lord Malmesbury, to the Bradford Chamber of Commerce, previously to the reply, in April 1859, to the memorial from the chamber in the preceding January, *Ripley* 270–275——Explanation that the first communication from Bradford to the Board of Trade with reference to the Belgian treaty was in July 1861, *ib.* 276–280——Satisfaction felt at the time by the Bradford Chamber upon having applied to the Board of Trade, and having been promised the assistance of the Board in the matter of the Belgian treaty, *ib.* 281–285——Claim of this country to favourable consideration at the hands of Belgium, *ib.* 290, 291.

With regard to there not being in the Belgian treaty of 1861 any most favoured nation clause, witness still maintains that a prompt and early action on the part of the Foreign Office, when the Franco-Belgian treaty was in contemplation, might have removed the difficulties subsequently experienced, *Ripley* 299–305. 318–321——Probability of better results, in the case of Belgium, if the same course had been pursued as in the case of France, where the matter was arranged by Mr. Cobden and the Board of Trade, *ib.* 321–328. 336——Way in which the opposition in Belgium to the treaty with England might have been modified, if, when the Franco-Belgian treaty was being negotiated, the Foreign Office were also in the field, *ib.* 371–374——Improbability of the Belgian concessions to France having been prevented if England had been applying at the same time for similar concessions, *ib.* 384–388——The action of the Foreign Office in the matter of the Belgian treaty was not postponed advisedly, the delay having been owing to omission or neglect, *ib.* 389–391.

Steps taken by the Bradford Chamber in 1854 and 1856, with a view to this country being treated as the most favoured nation, with reference to the arrangements between Belgium and France, *Behrens* 437–445——Statement as to the Foreign Office having been of the same opinion as the Bradford Chamber, as to the effect of the most favoured nation

Report, 1864—*continued.*

BELGIUM—continued.

1. *Evidence on the part of Bradford, &c.*—continued.

nation clause in the treaty of 1851, whilst the Board of Trade were of a different opinion, *Behrens* 441-447——Statement as to Mr. Wickham, and the secretary of the Bradford Chamber, having stated that Mr. Hammond said he tried to pick a hole in the arguments put forth by the Bradford Chamber, but could not do so, *ib.* 441-444——A paper was submitted to Mr. Hammond one day, and the deputation from Bradford again saw him the next day, *ib.* 441.

Constant representations made by the Bradford Chamber to the Foreign Office, on the subject of the undue preference given by Belgium to France; want of information displayed on the subject by the Foreign Office, *Behrens* 448-450——Memorial from the chamber in November 1860, as to the probable increase of the then existing preference to French goods, *ib.* 451, 452——Very prejudicial character of the preference in the interval between the Franco-Belgian treaty of 1861, and the Anglo-Belgian treaty of 1862; illustration of this, *ib.* 453-456——Upon some goods there was a difference of 30 and 40 per cent. in favour of France, *ib.* 455.

Grounds for concluding that it would have been easier to procure satisfactory terms from Belgium, if proper effort had been made before the Franco-Belgian treaty was concluded, *Behrens* 457-470——Examination as to witness's grounds for concluding that if we had applied in proper time to Belgium, concessions would have been granted much sooner, *ib.* 675-687.

Witness was member for Bradford in 1856, and saw Mr. Hammond at the Foreign Office in September of that year, on the subject of a memorial previously submitted by the Bradford Chamber on the subject of the Belgian treaty, *Wickham* 1735, 1736——It was stated by Mr. Hammond, that he could find no fault with the arguments used by the Bradford Chamber, *ib.* 1737——When at Brussels, witness had interviews with Lord Howard de Walden and the Secretary of Legation, who showed every willingness to go into the question; he did not hear from them that there was any difference of opinion between the Foreign Office and the Board of Trade *ib.* 1738-1742.

2. *Explanatory Statements on the part of the Foreign Office and Board of Trade:*

Statement as to the inaccuracy of certain evidence of Mr. Behrens, in regard to a deputation from Bradford having seen witness in August 1856, upon the subject of the Belgian treaty, and having at the time presented a memorial to him, *Hammond* 1531-1535—— Great improbability of witness ever having said, that "he had tried to pick a hole in the arguments of the Bradford Chamber, but could not do so," *ib.* 1533—— Mistake on the part of the Bradford Chamber, in supposing that the Foreign Office expressed concurrence in the view that the favoured nation clause was given under the Belgian treaty of 1851; letter from witness on 20th September 1856 to Mr. Wickham, through the Bradford Chamber, adverted to hereon, *ib.* 1536-1538.

Probable reasons why certain communications from the Board of Trade to the Foreign Office in December 1860 and February 1861, relative to the Belgian tariff, were not forwarded to the Minister at Brussels, *Hammond* 1542-1548——Declaration on the part of Belgium adverted to, in explanation of the Foreign Office not having made any commercial representations to the Belgian Government between 5th January and 20th May 1861, *ib.* 1549-1561——Promise by Belgium, that on the termination of her negotiations with France, England should be put under the most favoured nation clause, *ib.* 1553-1561.

Considerations as to the intercommunication between M. Van de Weyer, Earl Russell, and the President of the Board of Trade, in 1861, upon the subject of the Belgian tariff, and as to the probability of M. Van de Weyer having also been in communication with Mr. Layard, *Hammond* 1562-1577——Witness explains, that Belgium is not in his division, and that he is not conversant with the details of the negotiations, *ib.* 1563-1570——Witness declines to offer any opinion in reference to a certain delay laid to the charge of Earl Russell in his communications with M. Van de Weyer, *ib.* 1574-1577.

Explanation that witness saw Mr. Wickham and another gentleman from Bradford, in September 1856, upon the subject of the Belgian treaty, but that he did not see them when the memorial from the Bradford Chamber was presented, and believes he never said that he could not pick a hole in the arguments of the memorial, *Hammond* 1708 *et seq.*——Particulars as to the communications which really did take place between Mr. Wickham and the Foreign Office, and between the Foreign Office and the Minister at Brussels, upon the subject of the Bradford memorial; witness reads the correspondence which passed in the matter, *ib.* 1711 *et seq.*

Personal communication between the heads of the two departments and M. Van de Weyer, in negotiating the Belgian treaty, *Sir J. E. Tennent* 2408, 2409——Communication between M. Van de Weyer and witness in 1851, with reference to the Belgian treaty, but not in 1861 or 1862, *Mallet* 2489-2496——Frequent communication between Mr. Milner Gibson and M. Van de Weyer, relative to the Belgian treaty; important details dealt with in this case, *ib.* 2892-2897.

Report, 1864—*continued.*

BELGIUM—continued.

2. *Explanatory Statements on the part of the Foreign Office, &c.*—continued.

Opinion that in the case of Belgium, better results could not have been produced, *Earl Russell* 3090——Constant personal communication between M. Van de Wever and Mr. Milner Gibson and witness, when the Belgian treaty was under negotiation, *ib.* 3106, 3107——Several causes for which the Belgian Government refused to enter upon negotiations, *ib.* 3109–3112.

3. *Correspondence in detail relative to the Treaty between Great Britain and Belgium:*

Copies of the correspondence between the Board of Trade and the Foreign Office in the years 1860–62, respecting the negotiation of a commercial treaty between Great Britain and Belgium, *App.* 295–333.

4. *Papers explanatory of the System of the Departments in Belgium for dealing with Commercial Negotiations:*

Communications from Lord Howard de Walden to Earl Russell, together with a memorandum prepared by Baron Lambermont, explanatory of the relative action of the Minister of Foreign Affairs and the Minister of Finance upon foreign commercial matters, *App.* 282–284.

Bergne, Mr. Views of Mr. Bergne, of the Foreign Office, in disproval of the proposition for a distinct commercial department in the Foreign Office, *Hammond* 1825.

Board of Control (India). Advantage of the power of the former Board of Control for India of enforcing its policy upon the Court of Directors, it having been the practice of the former body to consult the Board of Trade, *Sir J. E. Tennent* 2402–2404——Very limited consultation of the Board of Trade by the former Board of Control, *Mallet* 2580.

BOARD OF TRADE:

1. *Present Functions of the Department, and Practice in the Transaction of Business.*
2. *Efficiency of the Staff.*
3. *Office of President.*
4. *Office of Vice President.*
5. *Nominal Character of the Board or Committee.*
6. *Expediency of increased Importance being given to the Department.*
7. *Commissions of 1853 and 1863.*
8. *Question considered as to the Expediency of direct Communication with the Consular and Diplomatic Servants.*
9. *Question of Communication with the Foreign Ministers in London and Abroad.*
10. *Question of rendering the Board more efficient and responsible with reference to Foreign Trade and Treaties, or of depriving it of its Consultative Functions.*
11. *Correspondence on the subject of the Belgian Treaty.*
12. *Correspondence relative to Treaty Negotiations with Italy.*
13. *Conclusions and Recommendations of the Committee.*

1. *Present Functions of the Department, and Practice in the Transaction of Business:*

Details relative to the several duties and administrative functions of the Board, and the practice of transaction or division of business between the President and Vice President, *Booth* 1962–1975——Division of duties between witness and the other secretary; the relation between the Foreign Office and the Board does not come under witness, except in the absence of the other secretary, *ib.* 1972–1980. 1999——Material diminution in much of the business which formerly devolved upon the Board of Trade, additional functions, however, having been entrusted to the Board in recent years, *ib.* 2036–2042——Reference to the practice formerly of meetings of the chief officials of the Board for the passing of papers, *ib.* 2052–2056.

All consultative communications from the Foreign Office come under witness's branch, *Sir J. E. Tennent* 2244——Practice of the Board in communicating with the Foreign Office upon receiving individual complaints of grievances, *ib.* 2272–2275.

The Foreign Office business in witness's division passes through witness and through Sir Emerson Tennent; particulars as to the practice in dealing with this business, *Mallet* 2444–2448——Larger share taken formerly by the Board of Trade in commercial negotiations than has been the practice in recent years, *ib.* 2449–2451——Increase of the executive business of the Board whilst the consultative action has been diminished, *ib.* 2452, 2453——Entire departure from the original idea of the Board of Trade as a consultative office, *ib.* 2909.

Explanation

Report, 1864—*continued.*

Board of Trade—continued.

1. *Present Functions of the Department, &c.*—continued.

Explanation of the relations between the President and Vice President and the arrangements between them for the division of business, *Right Hon. T. M. Gibson* 3434–3438——Transition state of the Board of Trade at the present time, it being settled that the department, when re-constituted, is to comprise two secretaries and four assistants, *ib.* 3444–3447——Modes of conveying information from the Board of Trade to the Foreign Office; verbal communication frequently between witness and the Secretary of State, *ib.* 3451.

2. *Efficiency of the Staff:*

Great willingness always evinced by the Board of Trade to discuss commercial matters with the commercial community, *Ripley* 110——Commercial knowledge and zeal at the Board of Trade, whilst there is a deficiency of those qualities at the Foreign Office, *ib.* 360, 361——The system of two offices is altogether wrong, but the men are not at all to blame, *Behrens* 864.

Courtesy and attention experienced at the hands of the officials, the system being alone to blame, *Akroyd* 887; *Sturrock* 1240. 1248–1251——Very efficient staff of the Board of Trade, *Ashworth* 930——Very competent officials at the Board in matters of commerce, *Earl of Clarendon* 3030, 3031.

3. *Office of President:*

Statement of the relations between the President and Vice President, *Booth* 1953–1961; *Right Hon. T. M. Gibson* 3434–3438——Disadvantage in the President of the Board not being always a Cabinet Minister, *Earl of Clarendon* 2994, 2995; *Earl Russell* 3077–3080——Very able men who have filled the Office of President, *Earl Russell* 3087——Advantage in the President being always a member of the Cabinet, *Earl of Malmesbury* 3214; *Right Hon. T. M. Gibson* 3439. 3461.

The nomenclature of the President should be altered, and his responsibility restricted, if there were a commercial department in the Foreign Office, *Right Hon. T. M. Gibson* 3455——Greater or less importance of the department accordingly as the President is more or less active, *ib.* 3460, 3461——Adequate facilities of the President of the Board, if a Cabinet Minister, for representing the interests of the commercial classes, *ib.* 3515–3518.

4. *Office of Vice President:*

Arrangement between the Vice President and President of the Board, by which the former assists the latter, without however any special or distinct duties as Vice President, *Booth* 1958–1961; *Right Hon. T. M. Gibson* 3434–3438——Approval of an abolition of the office of Vice President, especially now that it is mainly an executive department, *Booth* 2228–2232——Objection to the Vice President of the Board of Trade being an Under Secretary in the Foreign Office for commercial purposes; this arrangement, however, would have some advantages, *Sir J. E. Tennent* 2357, 2358——The Vice President may be said to have a co-ordinate authority with the President, *Right Hon. T. M. Gibson* 3437.

5. *Nominal Character of the Board or Committee:*

Constitution of the committee or Board; in practice the committee is entirely a fiction, *Booth* 1958, 1959——Absence of advantage in the department of the Board of Trade being nominally a Board, instead of a department presided over by a Secretary of State, *ib.* 2238, 2239——Reference to the President and Vice President as resembling the chairman and deputy chairman of a Board, though there is practically no Board of Trade in operation, *Earl of Clarendon* 2996, 2997.

Explanation as to the nominal character of the committee under which the business of the Board of Trade is conducted; there is no reason why this fiction should not be abolished, and the business carried on in the name of the President, or of a secretary of commerce, *Right Hon. T. M. Gibson* 3465–3474.

6. *Expediency of increased Importance being given to the Department:*

Approval of increased weight and responsibility being attached to the functions of this department, *Ashworth* 930. 941, 942——Advantage if the Board of Trade were placed on an equality with the Foreign Office, &c., so that it should be able to give greater force to its recommendations, *Sir J. E. Tennent* 2354–2356. 2366. 2376–2378; *Mallet* 2608–2611. 2616–2628.

Conclusion, that under the present system, the usefulness of the Board as a consultative department is very much affected by its comparatively subordinate position, *Mallet* 2609. 2616–2635——Great improvement if the Board of Trade were placed in the same position to the Foreign Office that the Customs' Department holds to the Treasury, *ib.* 2621–2625——Expediency of increased weight being given to the Board, if retained as a consultative department, this being the weak point in the present Board, *ib.* 2754, 2755.

BOARD OF TRADE—continued.

6. *Expediency of increased Importance being given to the Department*—continued.

Difficulty in rendering the Board a more important department; advantage if this could be done, *Earl of Clarendon* 2992, 2993——Opinion that it is not essential that the department be made a Secretaryship of State, *Earl Russell* 3077. 3080——Approval of more importance being attached to the Board of Trade as a public department; advantage of the President being always a Member of the Cabinet, *Earl of Malmesbury* 3213–3215.

It is quite immaterial as to the discharge of duties, whether the Board be still under a President, or a Secretary of State be appointed for the department, *Right Hon. E. Cardwell* 3429——Expediency of the President being a Cabinet Minister, and of his being provided with proper facilities for obtaining commercial information wherewith to advise his colleagues; a minister of commerce is not essential, *Right Hon. T. M. Gibson* 3439. 3461. 3493. 3515–3518.

7. *Commissions of 1853 and 1863:*

Reference to the report of the Commission of 1853, as contemplating the progressive diminution of the importance of the Board, *Mallet* 2582——General result arrived at by the Commission of 1863, as regards the executive and consultative functions of the department, *ib.* 2583–2587.

8. *Question considered as to the Expediency of direct Communication with the Consular and Diplomatic Servants:*

Evidence in approval of direct communication on commercial affairs between the Board of Trade and the British agents abroad; increased despatch and efficiency thereby, *Ashworth* 976, 977; *Booth* 1981–1989. 2132–2158; *Sir J. E. Tennent* 2301, 2302; *Mallet* 2454–2472. 2608–2628. 2657 *et seq.* 2746–2748.

Opinion as to the inexpediency of the direct communication of the consuls with the Board of Trade on marine affairs, *Hammond* 1523, 1524——Examination as to witness's grounds for objecting to the Board communicating directly abroad upon matters of detail connected with trade, *ib.* 1860 *et seq.*

Explanation relative to the communication between the Board of Trade and the consuls, under the Merchant Shipping Act; absence generally of any collision with the Foreign Office, *Booth* 1981–1989——How far there is anything exceptional in the consuls being placed in communication with the Board, under the Merchant Shipping Act, *ib.* 2132–2139. 2145, 2146.

Probability of more early and complete information in the possession of the Board, if it were in direct communication with the officers abroad, *Sir J. E. Tennent* 2301, 2302——Considerable advantage anticipated if the Board were placed in communication with the consuls, under flying seal, through the Foreign Office, *ib.* 2366–2378. 2399.

Statement that direct communication between the Board of Trade and consuls on commercial matters, would not be productive of any advantage, but would rather create complication and delay, *Earl of Clarendon* 2980. 2987–2989. 3011–3021. 3028. 3049——Conclusion that there need be no delay under the system of the Board communicating with the consuls or ministers abroad, through the Foreign Office, *ib.* 3987. 3309——Witness also objects to the Board communicating abroad under flying seal through the Foreign Office, *ib.* 2991. 3020, 3021——Approval of the Board communicating directly abroad on mere matters of detail, as in the case of the French Treaty; this however was an exceptional case, *ib.* 3010–3012. 3053–3055——Difficulty in drawing a line where detail ends or begins in connexion with commercial negotiations; obstacle therefore to any rule leaving details to be settled by the Board of Trade in direct communication, *ib.* 3011–3013. 3017–3019. 3028. 3049.

Doubt as to any advantage, in the Board of Trade communicating upon matters of detail with the foreign agents under flying seal through the Foreign Office, *Earl Russell* 3074–3076. 3085.

Inference from witness's experience, as to the advantage of communication between the foreign agents and the Board of Trade, *Morier* 3163–3172——Witness sugests that much delay may be avoided in the transmission of despatches to the Board, if the foreign agents docketed their despatches as "political" or "commercial," and if the latter were in the first instance sent on at once from the Foreign Office, *Earl of Malmesbury* 3209–3211.

Non-objection to the Board of Trade communicating with the consuls and ministers under flying seal, through the Foreign Office upon purely commercial matters, *Earl of Malmesbury* 3210, 3211. 3218–3225. 3239, 3240; *Right Hon. T. M. Gibson* 3463——Dissapproval of the Board of Trade and Foreign Office having separate and independent communications with the consuls and ministers abroad, *Earl of Malmesbury* 3218.

Difficulty apprehended with respect to any direct communication between the Board of Trade and foreign agents, or if carried on under flying seal through the Foreign Office, *Lindsay* 3250–3254.

Conclusion

BOARD OF TRADE—continued.

8. *Question considered as to the Expediency of direct Communication, &c.*—cont[d].

Conclusion that the same purpose is served under the present system of communication with the agents abroad, as though the Board were to communicate directly with them, *Hammond* 3311, 3312. 3361——Witness also contends that any slight saving of time by the consuls communicating on commercial subjects directly with the Board, is not commensurate with the inconvenience that would result from the consuls corresponding with two departments, *ib.* 3313–3327. 3370–3376. 3382, 3383——Business would be retarded rather than expedited, by the consuls communicating abroad under flying seal through the Foreign Office, *ib.* 3319. 3366——Objection to consuls' despatches docketed "commercial," being sent to the Board of Trade, without their being seen by the Secretary of State, *ib.* 3324, 3325. 3370–3376. 3380–3383.

Grounds for objecting to the proposal that the Board of Trade should have any communication with the ministers and consuls abroad which should at all diminish the responsibility of the Secretary of State, for the conduct of foreign negotiations, *Right Hon. E. Cardwell* 3392–3398. 3408, 3409——Aproval of Lord Malmesbury's suggestion that the commercial despatches from abroad, should be docketed, and forwarded at once to the Board, *Right Hon. T. M. Gibson* 3462.

9. *Question of Communication with the Foreign Ministers in London and Abroad:*

Inconvenience apprehended if the Board of Trade were put in communication with the ministers of other countries abroad, *Booth* 2004, 2005. 2032.

Advantages if the Board of Trade had more free and systematic communication with the foreign ministers in London, *Mallet* 2484–2496——Circumstance of the Board of Trade having formerly been more frequently placed in personal communication with foreign ministers when negotiating treaties in London, *ib.* 2799——Examination upon the suggestion that there should be greater facilities of communication between witness's department and the foreign ministers in London, *ib.* 2882–2897.

Impracticability of the Board of Trade communicating directly with the foreign ministers in this country, *Earl of Clarendon* 3051, 3052——Apprehended difficulty to the Foreign Office if the foreign ministers were to communicate directly with the Board of Trade, *Right Hon. T. M. Gibson* 3462. 3483.

10. *Question of rendering the Board more efficient and responsible with reference to Foreign Trade and Treaties, or of depriving it of its consultative Functions:*

Necessity of a new and special department in the Board of Trade, if the Board were entrusted with matters of foreign trade and treaties, *Ripley* 111. 128, 129——Powerlessness at present of the Board in reference to negotiations abroad, *ib.* 112——Instance in 1856, of the want of information by the Board on the subject of foreign commercial matters, *Behrens* 568–570——Multiplicity of duties now devolving upon the Board, and advantage hereon if the functions of the department were confined entirely to inland trade and maritime affairs, *Akroyd* 887. 891——Conclusion of the Manchester Chamber as to the Board of Trade being the proper and responsible department for the supervision and conducting of matters relating to foreign trade, *Ashworth* 926–929. 938–941.

Opinion that the functions of the department should be limited to its administrative duties, and that its intercourse with other departments should be restricted with direct reference to the information obtained in the fulfilment of such duties, *Booth* 2240——Much more complete and valuable character of the information obtained by the Board of Trade in its collective capacity, than of information obtained by sectional departments acting separately, *Sir J. E. Tennent* 2340——Effect of the Board in harmonising the commercial policy of the other departments, *ib.*

Good ground for the complaint that the permanent officers of the Board are frequently unable to supply merchants with sufficient information as to what is passing in foreign countries, *Mallet* 2479 *et seq.*——Increasing impression of late years as to the Board becoming less and less a consultative body; expression of this view by Mr. Cardwell, *ib.* 2581, 2582——Condemnation of the present relations between the Foreign Office and Board of Trade, not only because of the irregular and tardy manner in which information is received by the Board, but because of the want of some clear responsibility in the President, *ib.* 2588–2590——Inexpediency of maintaining the Board of Trade as a consultative department with reference to the use made of it by the Treasury and Colonial Office, *ib.* 2609. 2628–2634——Expediency of the Board being furnished with the fullest information, if retained as a consultative department, *ib.* 2638–2641.

Ample duties of a minister of commerce to perform, irrespectively of consultative duties, *Mallet* 2783, 2784——If the addditional functions proposed to be thrown upon the Foreign Office are more than it can efficiently discharge, the best alternative is to render the Board of Trade really efficient as a consultative department, and to give greater weight and responsibility to the head of the department, *ib.* 2908–2911. 2932, 2933——Disadvantage in continuing the present ill-defined and limited consultative functions of the Board of Trade, *ib.* 2909.

BOARD OF TRADE—continued.

10. *Question of rendering the Board more efficient, &c.*—continued.

Expediency of the Board of Trade being the repository of all commercial information, and the consultative body for the other departments, *Earl of Clarendon* 2983. 2992——Witness looks upon the Board of Trade as essentially a consultative department, *ib.* 2992, 2993.

Advantage in the Board of Trade taking the initiative upon the "commercial" despatches, and in these being submitted subsequently to the Foreign Secretary, together with the views of the former department upon them, *Earl of Malmesbury* 3209–3211. 3228——Witness contemplates that the Foreign Office should still be responsible for the carrying out of treaties; but that all the technical part, so far as trade is concerned, should be managed by the Board of Trade, *ib.* 3218–3223. 3239.

Witness explains the views held by him when at the Board of Trade in regard to its not being necessary in the Foreign Office generally to consult the Board with respect to the foreign commercial relations of the country, *Right hon. E. Cardwell* 3386-3388——Witness considered in fact, and still considers, that the principal function of the consultative department of the Board terminated with the permanent adoption of the principle of free trade, *ib.* 3387, 3388——Inconvenience in there being both an executive and a consultative department in the Board of Trade, *ib.* 3399, 3400——Opinion in favour of a termination of the consultative department and of an enlargement from time to time of the executive duties of the Board, *ib.* 3417. 3427–3429.

Doubt whether the consultative business of the department could ever occupy much less of the staff than it now does, *Right Hon. T. M. Gibson* 3447——Effect of a commercial department in the Foreign Office to lead to a virtual abolition of the Board of Trade as regards its promotion of the commercial interests in connection with foreign trade, *ib.* 3454, 3455——Absence of necessity for maintaining the commercial and general department of the Board of Trade if there were a commercial department in the Foreign Office, *ib.* 3455——Expediency of the Board being limited entirely to executive duties if the proposed department were established in the Foreign Office, *ib.* 3458——Limited information received by the Board from abroad save through the Foreign Office, *ib.* 3475–3477. 3503–3508.

Obstacles to a concentrated and comprehensive power in the Board of Trade, so that the department might take greater action in the foreign and Indian and Colonial relations of the empire as regards commerce, *Right Hon. T. M. Gibson* 3483-3501——Dissent from the view of Mr. Cardwell, that the consultative department of the Board should be abolished altogether, *ib.* 3502——Expediency of a proper depository of information available to witness in order that his office may operate usefully in consultation with other departments, *ib.* 3503–3514.

11. *Correspondence on the subject of the Belgian Treaty:*

Copies of the correspondence between the Board of Trade and the Foreign Office in 1860–62, respecting the negotiation of a commercial treaty between Great Britain and Belgium, *App.* 295–333.

12. *Correspondence relative to Treaty Negotiations with Italy:*

Copies of the correspondence of the Board with the Foreign Office on the subject of the treaty between France and Italy, and the negotiation of a treaty between Great Britain and Italy, *App.* 334–355.

13. *Conclusions and Recommendations of the Committee:*

Review by the Committee of the arrangement between the two departments as regards the Board of Trade being furnished with information or being consulted by the Foreign Office, *Rep.* iii, iv——Respects in which the present relations of the department with the Foreign Office are deemed unsatisfactory by the commercial classes, *ib.* iv——Circumstance of its being admitted by the Board of Trade that some of the complaints by the commercial community are not without foundation, and that the machinery needs improvement, *ib.*

Functions and constitution of the Board of Trade adverted to with reference to the question as to the future relations with the Foreign Office in matters of free trade, *Rep.* v, vi——Grounds for the recommendation that the Board be put in direct communication with the members of the diplomatic and consular services, and that such communication be carried on through the Foreign Office, with such provision as shall prevent collision, *ib.* vi.

Recommendation also that the Board be placed more nearly upon an equality with the Foreign Office than it is at present, in order that its opinion when asked may have weight; and that its chief be always a member of the Cabinet, *Rep.* vi.

See also *Belgium. Bradford Chamber of Commerce. Colonial Office. Commercial Classes. Commercial Department. Consuls and Consular Reports. Delay. Deputations. Foreign Office. France*, 1. *Japan. Manchester. Reciprocity Treaty. Responsibility. Statistical Department. Sugar Duties. Treasury.*

Report, 1864—*continued.*

Booth, James, (Analysis of his Evidence.)—Senior secretary to the Board of Trade; first went to the department in 1850 as junior secretary, 1952-1957——Arrangement between the Vice-President and President of the Board by which the former assists the latter, without, however, any special or distinct duties as Vice-President, 1958-1961——Constitution of the committee or Board; in practice the committee is entirely a fiction, 1958, 1959——Details relative to the several duties and administrative functions of the Board, 1962-1975——Limited extent to which Colonial Acts are now referred to the Board of Trade, 1967-1970——Division of duties between witness and the other secretary; the relation between the Foreign Office and the Board does not come before witness except in the absence of the other secretary, 1972-1980. 1999.

Explanation relative to the communication between the Board of Trade and the consuls, under the Merchant Shipping Act; absence generally of any collision with the Foreign Office, 1981-1989——Instance of an appeal by a consul from the Board of Trade to the Foreign Office, 1984. 2009-2012——Witness sees no difficulty in the Foreign Office authorising the consuls to communicate with the Board of Trade upon matters relating to trade, 1987——Evidence to the effect that there would be no disadvantage or difficulty in transferring to the Foreign Office those officers of the Board of Trade who now supply information to the former department with reference to foreign trade; necessity, however, in many cases, of the Board of Trade and the Statistical department being still consulted, 1990-2003. 2013-2025.

Inconvenience apprehended if the Board of Trade were put in communication with the ministers of other countries abroad, 2004, 2005. 2032—— Convenience in one department undertaking a general supervision of trade, 2006-2008——A commercial department in the Foreign Office would, after consulting the Statistical Department, communicate directly to the Foreign Secretary; whereas at present the required information from the Statistical Department is communicated through the Board of Trade, 2016-2025—— If simply with a view to the collection of information witness sees no objection to the Board of Trade corresponding not only with our consuls, but our ministers abroad, 2026-2032.

Doubt as to the expediency of publishing annually a full report of our foreign commercial relations, and of all negotiations for new treaties; considerable expense of such publication, 2033-2035——Material diminution in much of the business which formerly devolved upon the Board of Trade, additional functions having, however, been entrusted to the Board in recent years, 2036-2042——Former detailed examination by the Board of Trade of all colonial Acts before confirmation, many of these Acts having since been withdrawn from the cognizance and supervision of the Board as being unnecessary, 2043-2051.

Reference to the practice formerly of meetings of the chief officials of the Board for the passing of papers, 2052-2056——Way in which any information required in the negotiation of treaties from the Mercantile Marine Department of the Board of Trade is now obtained; increased facility if there were a commercial department in the Foreign Office, 2057-2069——Form of application by the Foreign Office for the required information; officials to whom the communications are generally addressed, 2070-2079—— Approval of the functions of the Statistical Department being extended, and of the department being rendered quite independent, 2080-2084——Facility of direct communication between a commercial department in the Foreign Office and the Statistical Department, 2085-2089.

Witness contemplates that there should be at the Foreign Office a chief clerk or Under Secretary, with one or two assistants to supply the information required in conducting the ordinary correspondence relating to foreign trade; such an officer as Mr. Mallet could efficiently fill this position, 2091 *et seq.*——Contemplated communication of the proposed officer with the Secretary of State, it being still open to the latter to obtain information also from the Board of Trade, 2094-2124——Responsibility of the Secretary of State considered in connexion with the functions to be exercised by the proposed official, 2094-2109. 2163 *et seq.*——The proposed officer might communicate freely with the Statistical Department, 2125-2127——Effect of the proposed staff in the Foreign Office in obviating any delay that may arise under the present system, 2128-2131.

Further evidence in approval of the consuls communicating directly with the Board of Trade; sundry objections thereto considered, 2132-2158——How far there is anything exceptional in the consuls being placed in communication with the Board of Trade under the Merchant Shipping Act, 2131-2139. 2145, 2146——Check to be exercised by the Board of Trade before publishing the reports of the consuls, 2154-2158——Doubt as to the Secretary of State for India being in the habit of consulting the Board of Trade, 2159-2161.

Exceptional, but satisfactory manner in which the negotiation of the details of the French Treaty was conducted, 2162. 2169, 2170——Further reference to the responsibility of the Secretary of State in acting upon information obtained from a commercial department in the Foreign Office and from the Board of Trade, 2163-2168. 2179-2186.

Report, 1864—*continued.*

Booth, James. (Analysis of his Evidence)—*continued.*

2195-2200——Convenience of communication between the subordinates of different departments, 2171-2174——Witness does not propose that the Foreign Secretary should send for Sir Emerson Tennant or witness to consult them, but can conceive that much convenience would arise from this practice in some cases, 2172-2186. 2201-2203.

Explanation that witness does not appear before the Committee as an opponent of the present system generally, though he conceives that some advantage would arise from a commercial department in the Foreign Office, 2187-2200——Absence of inconvenience if applications from other departments to the Statistical Department went directly, instead of through the Board of Trade, 2204-2206——Information as to the consultation of the Board of Trade by the Colonial Office, and as to such consulation not being necessary in the greater number of cases, 2207-2216.

Contemplated reference by the Colonial Office to the Board of Trade rather than to a commercial branch in the Foreign Office, 2217-2220——Tendency to a waste of time in the consideration of details by the Board of Trade in connexion with questions of policy resting with the Colonial Office or Foreign Office, 2221-2224——Degree of responsibility in Parliament or in correspondence abroad, which might attach to a commercial Under Secretary at the Foreign Office, 2225, 2226. 2233-2237.

With regard to the expense of the contemplated department, there might, on the other hand, be a saving in the staff at the Board of Trade, 2227——Approval of an abolition of the office of Vice-President of the Board of Trade, especially now that it is mainly an executive department, 2228-2232——Absence of advantage in the department of the Board of Trade being nominally a Board, instead of a department, presided over by a Secretary of State, 2238, 2239——Opinion that the functions of the department should be limited to its administrative duties, and that its intercourse with other departments should be restricted with direct reference to the information obtained in the fulfilment of such duties, 2240.

Bradford Chamber of Commerce:

1. *Communications from the Chamber on the subject of the Belgian Tariff and the Franco-Belgian Treaty.*
2. *Representations on the subject of the Italian Tariff.*
3. *French Commercial Treaty.*
4. *Question of a French Consulship at Bradford.*
5. *Practice of the Chamber as to communicating in Duplicate with the Foreign Office and Board of Trade.*
6. *Origination by the Bradford Chamber of the present Inquiry.*

1. *Communications from the Chamber on the subject of the Belgian Tariff and the Franco-Belgian Treaty:*

Witness has been President of the Bradford Chamber of Commerce since 1858, and has taken an active part in communications with the Foreign Office on the subject of trade and treaties with foreign countries, *Ripley* 4 *et seq.*——Details explanatory of the course taken by the Bradford Chamber of Commerce with reference to the preference given by Belgium to France over England previously, as well as subsequently, to the Franco-Belgian Treaty of 1861; frequent memorials to and correspondence with the Foreign Office on the subject, *Ripley* 8 *et seq.*; *Behrens* 437 *et seq.*——Communication from the Bradford Chamber of Commerce to Lord John Russell, as Foreign Secretary, dated 3 November 1860, relative to the expediency of the British trade with Belgium being placed upon a footing of equality with that of other nations, *Ripley* 22, 23——Statement as to no answer having been received from the Foreign Office to the foregoing letter, nor to a subsequent letter on the 18th December, *ib.* 24-26.

Further letter from the Chamber of Commerce, dated 4 January 1861, relative to the undue privileges in Belgium to French goods as compared to English goods, *Ripley* 27-29——Acknowledgment by the Foreign Office on 3 January 1861 of the receipt of the letters of November and December 1860, *ib.* 30, 31——Reference to the passing of the Franco-Belgian treaty and the representation consequently made by the Bradford Chamber to the Foreign Office; reply to this representation on 22 May 1861, *ib.* 40-49——Subsequent communication from the Chamber of Commerce to the Board of Trade representing the expediency of steps being taken for the due protection of British merchants in the treaty or negotiation then pending with Belgium, *ib.* 50-53.

Reference to a memorial from the Bradford Chamber of Commerce to the Foreign Office in January 1859, and to the reply of Lord Malmesbury, with regard to the Belgian treaty of 1851, *Ripley* 145-149——Amount of injury to the Bradford Trade in consequence of the Franco-Belgian treaty, and previously to the Anglo-Belgian trade, *ib.* 184-186. 306-311——Assurance given by the Foreign Office in the time of Lord Malmesbury to the Bradford Chamber of Commerce, previously to the reply in April 1859, to the memorial from the Chamber in the preceding January, *ib.* 270-275——Explanation that

Report, 1864—*continued.*

Bradford Chamber of Commerce—continued.

1. *Communications from the Chamber, &c.*—continued.

that the first communication from Bradford to the Board of Trade with reference to the Belgian treaty was in July 1861; *Ripley* 276–280——Satisfaction felt at the time by the Bradford Chamber upon having applied to the Board of Trade, and having been promised the assistance of the Board in the matter of the Belgian treaty, *ib.* 281–285.

Disadvantageous position of the Bradford trade as regards Belgium when witness first examined the Belgian tariff in 1854; undue preference given to French goods, *Behrens* 434–436——Steps taken by the Bradford Chamber in 1854 and 1856 with a view to this country being treated as the most favoured nation with reference to the arrangements between Belgium and France, *ib.* 437–445——Constant representation by the Bradford Chamber of Commerce to the Foreign Office on the subject of the undue preference given by Belgium to France; want of information displayed on the subject by the Foreign Office, *ib.* 448–450——Memorial from the Chamber in November 1860, as to the probable increase of the then existing preference to French goods, *ib.* 451, 452.

With regard to some delay on the part of the Foreign Office in acknowledging a letter from the Bradford Chamber, dated 3 November 1860, there was doubtless an omission which should not have occurred, *Hammond* 1539–1541.

2. *Representations on the subject of the Italian Tariff:*

Statement as to the Bradford Chamber of Commerce having, in July 1862, requested, through the Foreign Office, to be put in communication with Signor Marliani on the question of the Italian treaty, which he had been deputed to negotiate; departure of Signor Marliani without any such intercommunication having taken place, *Ripley* 92–96. 210–219——Inability of the Bradford Chamber to obtain information required from the Foreign Office on the subject of the Franco-Italian treaty, *Behrens* 510–512——Disadvantage through the Bradford Chamber not having been placed in communication with the Italian envoy when in this country in 1862, *ib.* 520–522.

3. *French Commercial Treaty:*

Advantage in the trade of Bradford having been represented at Paris at the time of the negotiations for the French commercial treaty, *Behrens* 523–525.

4. *Question of a French Consulship at Bradford:*

Correspondence between the Bradford Chamber of Commerce and the Board of Trade upon the subject of the appointment of a French consul or vice-consul at Bradford; better chance of such appointment if the Board of Trade had acted promptly in the matter, *Ripley* 97–101——Grounds for concluding that the Foreign Office did not enter into any communication on the subject of the appointment of a French consul or vice-consul at Bradford, *ib.* 220–228——Effect of the delay on the part of the Foreign Office in regard to the non-appointment of the consul, *ib.* 229, 230.

5. *Practice of the Chamber as to communicating in duplicate with the Foreign Office and Board of Trade:*

Statement as to it being the practice of the Bradford Chamber of Commerce to send duplicate memorials to the Board of Trade, on account of the unsatisfactory results of these communications with the Foreign Office, *Ripley* 102–107——Explanation as to duplicate copies of the correspondence in 1860 with the Foreign Office not having been sent by the Bradford Chamber to the Board of Trade, *ib.* 131, 132.

6. *Origination by the Bradford Chamber of the present Inquiry:*

Circular letter from Mr. Darlington, as secretary to the Bradford Chamber of Commerce, dated 9 April 1864, to the several Members of the House of Commons, requesting their support to the motion of Mr. Forster for an inquiry into the arrangements between the Foreign Office and Board of Trade; statement prepared by the Bradford Chamber, and circulated with this letter, *App.* 270–272.

See also *Belgium.* *Italy.* *Russia.* *Spain.* *Sweden.*

Brunnow, Baron. Warm testimony recently borne by Baron Brunnow to the good organization of the Foreign Office, *Hammond,* 1490. 3342.

C.

Canada and United States. See *Reciprocity Treaty.*

Cardwell, The Right Hon. Edward. (Analysis of his Evidence.)—Was President of the Board of Trade in 1853 and 1854; 3384, 3385——Explains the views held by him when at the Board of Trade in regard to its not being necessary in the Foreign Office generally to consult the Board with respect to the foreign commercial relations of the country, 3386–3388——Witness considered in fact, and still considers, that the principal func-

Report, 1864—*continued.*

Cardwell, The Right Hon. Edward. (Analysis of his Evidence)—*continued.*

tion of the consultative department of the Board of Trade terminated with the permanent adoption of the principle of free trade, 3387, 3388.

Opinion that the Foreign Office need no consultation with any other department with reference to the principle of reductions in the Italian tariff, or any other foreign tariff, 3389. 3403——Dissent from the view of Mr. Hammond as to the necessity of the Foreign Office still consulting the Board of Trade, even if there were a commercial department in the former office, 3390——Less rapid and effective transaction of business when it has to pass through two departments, instead of one, 3391——Grounds for objecting to the proposal that the Board of Trade should have any communication with the ministers and consuls abroad, which should at all diminish the responsibility of the Secretary o State for the conduct of foreign negociations, 3392–3398. 3408, 3409.

Inconvenience in there being both an executive and a consultative department in the Board of Trade, 3399, 3400——Several sources of detailed information equally open to the Foreign Office directly as indirectly through the Board of Trade, 3403——Approval of the Foreign Office obtaining detailed information directly from the commercial bodies interested in tariff alterations, 3403. 3406, 3407——Means of the Foreign Office for obtaining details from the statistical department without direct consultation with it, 3403–3405. 3423-3426.

Expediency of the Colonial Office being able to come to its own conclusions on commercial subjects without consultation with the Board of Trade, 3410, 3411——Witness contemplates that the Foreign Office or Colonial Office should still apply for information to the Board of Trade upon certain matters of detail, but should not apply to it as a consultative department, 3412–3429——An officer like Mr. Mallet could, if in the Foreign Office, efficiently and advantageously give information or advice for which reference is now made to a separate department, 3415–3417.

Opinion in favour of a termination of the consultative department of the Board of Trade, and of an enlargement from time to time of the executive duties of the Board, 3417. 3427–3429——Particulars in connection with the consultation of witness, when at the Board of Trade, by the Colonial Office with regard to the sugar duties, 3420–3422——Separate character of the Statistical Department, though nominally a branch of the Board of Trade, 3424–3426——It is quite immaterial as to the discharge of duties, whether the Board be still under a President, or a Secretary of State be appointed for the department, 3429.

Chambers of Commerce. Inexpediency, in the interests of trade, of the chambers of commerce being obliged to make public representations to Government on the subject of foreign tariffs, *Behrens* 584–589. 613, 614. 631–634——Witness cites a passage from the annual report of the associated chambers as showing the impression of the commercial community as to the defect of the present system of the Foreign Office and Board of Trade, *Ackroyd* 886, 887——Objection by the association of chambers of commerce to the double machinery and the divided responsibility under the present system, *ib.* 886——The chambers of commerce generally consider that there should be more immediate action on the part of Government in carrying out the representations of the commercial interests in matter of foreign trade, *ib.*

Understanding as to the chambers of commerce being precluded from intercourse with the consuls, *Ashworth* 910——Duties of chambers of commerce to place information before Government, although in the case of Dundee and the Jute trade with Italy no result has been produced, *Sturrock* 1236–1239.

Witness regrets that a deputation from the chambers of commerce did not see Mr. Layard and himself upon the matters referred to the present Committee, *Hammond* 1505——Satisfaction given to several chambers of commerce by the grant of the most favoured nation clause by Italy; memorials and letters from various chambers adverted to hereon, *ib.* 1692–1694. 1701–1077.

Frequent communication between the Board of Trade and the chambers of commerce and individual merchants, *Sir J. E. Tennent* 2279, 2280.

Ready part taken by the Foreign Office in communicating with chambers of commerce, and in forwarding the views of the cotton association, when witness was Foreign Secretary, *Earl of Clarendon* 3001——Want of foundation for the complaint of chambers of commerce, that their representations are not properly or promptly attended to under the system of two departments, *ib.* 3014–3017. 3029.

Remarks upon a statement by the chambers of commerce, that the defects of the present system render necessary public representations by the commercial community, which operate injuriously, *Hammond* 3343–3345.

Correspondence between the association of chambers of commerce and the Foreign Office in February and March 1864, upon the subject of the commercial classes being put in immediate and direct communication with those who are responsible for the action of Government in commercial negotiations with foreign countries, *App.* 275, 276.

List

Report, 1864—*continued.*

Chambers of Commerce—continued.

List of chambers of commerce to which a Foreign Office circular of 17 March 1863, on the subject of commercial negotiations between Great Britain and Italy, was addressed, *App.* 346.

See also *Belgium. Bradford Chamber of Commerce. Commercial Classes. Deputations. Dundee. Foreign Office. Italy. Manchester.*

Clarendon, The Right Hon. The Earl of, K.G. (Analysis of his Evidence.)—Was Secretary of State for Foreign Affairs from February 1853 till February 1858; has also been President of the Board of Trade, 2975–2978——When at the Foreign Office witness anxiously considered the relations with the Board of Trade, but was not able to suggest any more efficient arrangements than those now in force, 2980——He does not concur in the proposal that more direct communication should be established between the Board of Trade and the British agents abroad, *ib.*—— He also objects to a commercial department in the Foreign Office, whether under a permanent Under Secretary or a Parliamentary Under Secretary, 2981–2983.

Grounds for concluding that the Secretary of State would equally deem it necessary to consult the Board of Trade, even if there were a commercial branch in the Foreign Office, so that there would be no saving of time or labour, 2982–2985. 3007——Expediency of the Board of Trade being the repository of all commercial information, and the consultative body for the other departments, 2983. 2992——Importance of communications between the two departments being in writing, as a means of record, 2984—— Approval of personal communication occasionally between the Foreign Secretary and the officials at the Board of Trade; witness often had such communication, 2984. 2986.

Apprehended confusion and increase of delay if the Board of Trade and the consuls were in direct communication with each other, 2987–2989——Conclusion that there need be no delay under the system of the Board of Trade communicating with the consuls or ministers abroad, through the Foreign Office, 2987. 3009——Disapproval also of the Board of Trade as well as the Foreign Office, communicating directly with the British ministers abroad, as productive only of confusion, 2990——Witness also objects to the Board of Trade communicating abroad under flying seal through the Foreign Office, 2991. 3020, 3021.

Witness looks upon the Board of Trade as essentially a consultative department, 2992, 2993——Difficulty in rendering the Board a more important department; advantage if this could be done, *ib.*——Prompt communication of information to the Board of Trade when witness was Foreign Secretary, 2993——Disadvantage in the President of the Board not being always a Cabinet Minister, 2994, 2995——Reference to the President and Vice President as resembling the chairman and deputy chairman of a Board, though there is practically no Board of Trade in operation, 2996, 2997.

Doubt as to any improvement or dispatch if there were a special clerk in the Foreign Office for superintending the correspondence with the Board of Trade, 2998——Conclusion as to there not being any advantage in the separate character of the slave trade department, 2999, 3000——Ready part taken by the Foreign Office in communicating with chambers of commerce, and in forwarding the views of the Cotton Association, when witness was Foreign Secretary, 3001——Considerable experience of witness in connexion with questions of commerce, 3002–3006——Any supposed ignorance in a Foreign Secretary upon commercial matters would not be removed by a commercial branch in the office any more than by the Board of Trade, 3007.

With regard to France, there is a commercial department in the Foreign Office, but there is also a ministry of commerce, 3008——If any improvement could be derived from direct communication between the Board of Trade and the agents abroad, witness would gladly favour such communication, but he considers that confusion and want of harmony would be the result, 3009. 3014–3021. 3028——The correspondence between the Board of Trade and the Treaty Commissioners in Paris operated very satisfactorily, but this case was one of quite an exceptional character, 3010–3012. 3019. 3028.

Non-objection to the Board of Trade still communicating directly with Paris on questions arising out of the French Treaty, 3011. 3019. 3053–3055——Grounds for concluding that there would not generally be a saving of time if the Board of Trade communicated directly abroad, whilst confusion and increased delay would probably result, 3011–3021 ——Difficulty in drawing a line where detail ends or begins in connexion with commercial negotiations; obstacle, therefore, to any rule leaving details to be settled by the Board of Trade in direct communication, 3011–3013, 3017–3019. 3028.

Want of foundation for the complaint by chambers of commerce that their representations are not properly or promptly attended to under the the system of two departments, 3014–3017. 3029——Denial that the Foreign Office avows its ignorance, or is ignorant upon commercial questions, although there is necessity for its consultation of the Board of Trade, 3022–3027. 3047——Very competent officials at the Board in matters of commerce, 3030, 3031——Advantage in the Foreign Office applying to the Board for the aid

Report, 1864—*continued.*

Clarendon, The Right Hon. The Earl of, K.G. (Analysis of his Evidence)—*continued.*

of an efficient officer in conducting such treaties, as the French Commercial Treaty, 3032, 3032*——Expediency in all cases of the Foreign Office superintending the wording and the final settlement of treaties, 3033–3035.

Grounds for concluding that the want of concessions on the part of Spain is in no way owing to any want of proper representations by the British Government, 3037, 3038——Approval of secretaries of embassies being in attendance at commercial conferences abroad 3039, 3041——Witness repeats his opinion that a commercial department in the Foreign Office would not work well, 3042——He would gladly suggest any change that promised improvement, but he sees no room for any radical change in the present system, 3043—— Probability of some delays complained of by the commercial community having arisen through political causes, 3044.

Grave censure to be attached to any neglect of commercial interests by the diplomatic servants, 3045——Great attention paid by the diplomatic body to matters of commerce, *ib.*——Advantage in the foreign agents communicating with the Foreign Office rather than with the Board of Trade, as regards the inducement to them to be zealous in commercial matters, 3046——Insufficient information upon which the commercial classes blame the Foreign Office for not having obtained concessions from other nations, 3048——Difficulty in obtaining concessions on account of our having nothing to concede in return, through having adopted the principles of free trade, *ib.*

Further statement that direct communication between the Board of trade and consuls on commercial matters would not be productive of any advantage, 3049——Impracticability, moreover, of drawing a line as to the points upon which the Board of Trade and Foreign Office should respectively communicate with the consuls, *ib.*——Opinion that any improvements feasible in the present system of the departments can best be left for adoption to the departments themselves, 3050——Impracticability of the Board of Trade communicating directly with the foreign ministers in this country, 3051, 3052——Further approval of the Board communicating directly abroad on mere matters of detail, as in the case of the French Treaty, 3053–3055.

Cobden, Mr. Reference to a letter from Mr. Cobden in July 1863, disapproving of the Foreign Office being set in motion by commercial bodies, to urge reductions of tariffs upon foreign governments, *Hammond* 3299.—— *See* also *France*, 1. 3.

Colonial Office. Larger receipts or communications from the Colonial Office, than from the Board of Trade, to the Foreign Office, *Hammond* 1754.

Limited extent to which Colonial Acts are now referred to the Board of Trade by the Colonial Office, *Booth* 1967–1970——Former detailed examination by the Board of Trade of all Colonial Acts, before confirmation, many of these Acts having since been withdrawn from the cognizance and supervision of the Board as being unnecessary, *ib.* 2043–2051——Information as to the present consultation of the Board of Trade by the Colonial Office, and as to such consultation not being necessary in the greater number of cases, *ib.* 2207–2216—— Contemplated reference by the Colonial Office to the Board of Trade, rather than to a commercial branch in the Foreign Office, *ib.* 2217–2220.

Useful consultation of the Board of Trade with reference to colonial duties, *Sir J. E. Tennent* 2344–2346——The opinions of the Board of Trade are not always acted upon by the Colonial Office, *ib.* 2345, 2346——Rare instances of any result following the opinions of the Board of Trade in regard to the Colonial Acts submitted for the consideration of the Board, *Mallet* 2577——Statement as to the opinion of the Board of Trade having been overruled by the Colonial Office in 1859, upon the question of a commercial union between all the provinces of British North America, *ib.* 2710–2712. 2790–2792——Probable advantage in the India Office and Colonial Office consulting the Board, if efficiently constituted, *ib.* 2912–2916——Circumstance of the Foreign Office finding it necessary largely to consult the Colonial Office, *ib.* 2953–2956.

Expediency of the Colonial Office being able to come to its own conclusions on commercial subjects, without consultation with the Board of Trade, *Right Hon. E. Cardwell* 3410, 3411.

Functions exercised by the Board of Trade, with reference to British and colonial trade, *Right Hon. T. M. Gibson* 3478, 3479——Importance of facilities for commercial information relative to the colonies being promptly communicated with and readily available, *ib.* 3480–3483——Impediments to any interference by the Board in regard to colonial import or export duties, or colonial legislation generally, *ib.* 3494–3497. 3523–3525.

Commercial Classes. Strong disapproval of the practice whereby the commercial community are constrained to communicate with two departments, and are kept in uncertainty as to whether representations will be attended to, *Ripley* 106–108. 112–114——The main grievance is, that commercial questions do not receive that attention which they ought to do, *Behrens* 635–637.

Commercial Classes—continued.

Practice of the Board of Trade in regard to communicating to the Foreign Office representations from commercial bodies; discretion exercised by the former department as to the necessity of such communications, *Hammond* 1438–1440. 1444, 1445 ——Any direct representations by commercial bodies to the Foreign Office are, as a rule, referred to the Board of Trade, *ib.* 1441–1443 ——Witness sees no disadvantage in commercial representations being made to two offices, *ib.* 1608–1610.

Varying practice in regard to communications from commercial bodies coming to the Board of Trade or to the Foreign Office, *Sir J. E. Tennent* 2261 ——Frequent communications between the Board and chambers of commerce, and individual merchants, *ib.* 2279, 2280 ——With reference to the frequent complaint by the commercial classes as to the disadvantage and delay in having to deal with two offices, witness questions whether there is real ground for the complaint, *ib.* 2282, 2283.

Commercial representations about foreign trade should be made to the Foreign Office as being the responsible department, such representations being submitted to the Board of Trade for information, *Sir J. E. Tennent* 2283. 2338–2340. 2379–2393 ——Inexpediency of the commercial community being debarred from complaining to a department like the Board of Trade, *ib.* 2369 ——Better understanding of late on the part of the commercial community as to the distinction between the functions of the Board of Trade and of the Foreign Office, *ib.* 2411–2413.

With regard to its being felt as a grievance that the commercial community are referred from one office to another, the necessity of applications to both departments would still exist if there were a commercial branch in the Foreign Office, *Sir J. E. Tennent* 2414–2427.

Very valuable information received by the Board of Trade from private merchants and commercial bodies at home, *Mallet* 2477 ——Ample facilities of the Board for being informed as to the interests and wants of the commercial classes, *ib.* 2478 ——Advantage in commercial complaints as to the operation of any duty or tax being laid directly before the Treasury, rather than the Board of Trade, *ib.* 2636, 2637.

It does not follow that shrewd men of business are the best judges of what would be the most effectual way of promoting their own interests with foreign governments, *Earl of Clarendon* 3029 ——Insufficient information upon which the commercial classes blame the Foreign Office for not having obtained concessions from other nations, *ib.* 3048.

Approval of the Foreign Office obtaining detailed imformation directly from the commercial bodies interested in tariff alterations, *Right Hon. E. Cardwell* 3403. 3406, 3407 ——Doubt whether the commercial classes would consider their interest so well represented if in lieu of the present system they were to communicate upon important questions with a department in the Foreign Office, *Right Hon. T. M. Gibson*, 3456, 3457. 3514.

Absence of rule or practice as to the department to which representations by the commercial community to Government should be made, *Rep.* iv. ——Several grounds upon which the commercial community are dissatisfied with the present arrangement generally between the Foreign Office and Board of Trade, *ib.*

See also *Belgium*, 1. *Bradford Chamber of Commerce. Chambers of Commerce. Deputations. Foreign Office. Italy. Publication of Commercial Information.*

Commercial Department. Evidence to the effect that one special department, whether in the Foreign Office or the Board of Trade, should exclusively deal with questions of foreign trade and treaties, *Ripley* 108–123. 231–237 ——Respects in which it is more desirable that the commercial department contemplated by witness should be in the Foreign Office than in the Board of Trade, *ib.* 109–129.

Examination to the effect that it is for the executive to determine whether the proposed new department should be in the Foreign Office or the Board of Trade; witness declines to give any opinion upon this point, *Ripley* 231–237. 360–362. 392–422.

Necessity of the department conducting negociations, being possessed of all the commercial information that is necessary, *Behrens* 590–592 ——Expediency of the department conducting negociations, being informed and advised by officials in the same department, *ib.* 624–630.

Much more complete and valuable character of the information obtained by the Board of Trade in its collective capacity, than of information obtained by sectional departments acting separately, *Sir J. E. Tennent* 2340 ——Apprehended antagonism between the departments if each acted upon the advice of a commercial branch of its own, *ib.*

Either there should be one commercial and consultative office for the Government departments, or each department should be a self-contained office, consulting officers of its own, *Mallet* 2736 ——Opinion that each executive department should be self-contained and should consult another executive office only upon questions falling within the executive work of such office, *ib.* 2782. 2908–2931.

See also *Board of Trade. Foreign Office.*

Report, 1864—*continued.*

Commission of 1853 (Board of Trade). Reference to the Report of the Commission of 1853, as contemplating the progressive diminution of the importance of the Board, *Mallet* 2582.

Commission of 1863 (Board of Trade). General results arrived at by the Commission of 1863, as regards the executive and consultative functions of the department, *Mallet* 2583–2587.

Consuls and Consular Reports:

1. *Statements in favour of the Consuls communicating more directly with the Board of Trade.*
2. *Evidence opposed to the foregoing proposition.*
3. *Suggested communication between a Commercial Department in the Foreign Office, and the Agents Abroad.*
4. *Question of Despatches docketed as "Commercial" being sent on at once from the Foreign Office to the Board of Trade.*
5. *Considerations as to the efficiency or inefficiency of the Consular Service.*
6. *Omission on the part of many Consuls to report to the Foreign Office.*
7. *Suggested transmission of the Consuls' Reports to the Chambers of Commerce.*
8. *Practice considered in regard to the Publication of the Reports.*
9. *Transmission of the Reports from the Foreign Office to the Board of Trade.*

1. *Statements in favour of the Consuls communicating more directly with the Board of Trade.*

Improvement, if the consuls were in communication with the Board of Trade, *Ashworth* 976, 977——Explanation relative to the communication between the Board of Trade, and the consuls under the Merchant Shipping Act; absence generally of any collision with the Foreign Office, *Booth* 1981–1989——Instance of an appeal by a consul, from the Board of Trade to the Foreign Office, *ib.* 1984. 2009–2012——Witness sees no difficulty in the Foreign Office authorizing the consuls to communicate with the Board of Trade, upon matters relating to trade, *ib.* 1987.

Further evidence in approval of the consuls communicating directly with the Board of Trade; sundry objections thereto considered, *Booth* 2132–2158——How far there is anything exceptional in the consuls being placed in communication with the Board of Trade, under the Merchant Shipping Act, *ib.* 2132–2139. 2145, 2146.

Probability of more early and complete information in the possession of the Board of Trade, if it were in direct communication with the officers abroad, *Sir J. E. Tennent* 2301, 2302——Considerable advantage anticipated if the Board of Trade were placed in communication with the consuls under flying seal through the Foreign Office, *ib.* 2366–2378. 2399.

More prompt and complete information if the ministers and consuls abroad were in direct communication with the Board of Trade, *Mallet*, 2471, 2472——Further statement as to the importance of the Board of Trade communicating directly with our foreign representatives; witness sees no practical inconvenience in their doing so, *ib.* 2644, 2657 *et seq.* 2746—— Probability of greater zeal in the discharge of commercial duties if the foreign agents communicated directly with the Board of Trade in commercial matters, *ib.* 2747. 2748. 2816——Competency of our foreign agents to deal with commercial questions further adverted to with reference to the expediency of their reporting to the Board of Trade, *ib.* 2816–2819.

Non-objection to the Board of Trade communicating with the consuls and ministers under flying seal through the Foreign Office upon purely commercial matters, *Earl of Malmesbury* 3210, 3211. 3218–3225. 3239, 3240——Disapproval, however, of the Board of Trade and Foreign Office having separate and independent communications with the consuls and ministers abroad, *ib.* 3218.

Absence as a rule of direct communication between the Board of Trade and the members of the diplomatic or consular service, *Rep.* iii.——Conclusion of the Committee in favour of the Board of Trade being put in direct communication with the members of the consular and diplomatic services upon commercial matters, and of such communication being carried on through the Foreign Office, *ib.* vi.

2. *Evidence opposed to the foregoing Proposition:*

Importance attached to the practice of the consuls reporting to the Foreign Office instead of to the Board of Trade; extensive range of duties now entrusted to them irrespectively of trade, *Hammond* 1523–1530——Opinion as to the inexpediency of the direct communication of the consuls with the Board of Trade on marine affairs, *ib.* 1523, 1524 ——Grounds for objecting to the Board of Trade communicating with the consuls abroad; inconvenience apprehended, whilst there would be no material saving of time, *ib.* 1860 *et seq.*

Witness

CONSULS AND CONSULAR REPORTS—continued.

2. *Evidence opposed to the foregoing Proposition*—continued.

Witness does not concur in the proposal that more direct communication should be established between the Board of Trade and the British agents abroad, *Earl of Clarendon* 2980 —— Apprehended confusion and increase of delay if the Board of Trade and the consuls were in direct communication with each other, *ib.* 2987-2989——Conclusion that there need be no delay under the system of the Board of Trade communicating with the consuls or ministers abroad through the Foreign Office, *ib.* 2987. 3009——Witness also objects to the Board of Trade communicating abroad under flying seal through the Foreign Office, *ib.* 2991. 3020. 3021.

If any improvement could be derived from direct communication between the Board of Trade and the agents abroad witness would gladly favour such communication, but he considers that confusion and want of harmony would be the result, *Earl of Clarendon* 3009. 3014-3021. 3028 —— Grounds for concluding that there would not generally be a saving of time if the Board of Trade communicated directly abroad, whilst confusion and increased delay would probably result, *ib.* 3011-3021 —— Impracticability moreover of drawing a line as to the points upon which the Board of Trade and Foreign Office should respectively communicate with the consuls, *ib.* 3049.

Doubt as to any advantage in the Board of Trade communicating upon matters of detail with the foreign agents under flying seal through the Foreign Office, *Earl Russell* 3074-3076. 3085——Difficulty apprehended with respect to any direct communication between the Board of Trade and foreign agents, or if carried on under flying seal through the Foreign Office, *Lindsay* 3250-3254.

Conclusion that the same purpose is served under the present system of communication with the agents abroad as though the Board of Trade were to communicate directly with them, *Hammond* 3311, 3312. 3361——Witness also contends that any slight saving of time by the consuls communicating on commercial subjects directly with the Board of Trade is not commensurate with the inconvenience that would result from the consuls corresponding with two departments, *ib.* 3313-3327. 3370-3376. 3382, 3283 ——Business would be retarded rather than expedited by the consuls communicating abroad under flying seal through the Foreign Office, *ib.* 3319. 3366.

Grounds for objecting to the proposal that the Board of Trade should have any communication with the ministers and consuls abroad which should at all diminish the responsibility of the Secretary of State for the conduct of foreign negotiations, *Right Hon. E. Cardwell* 3392-3398. 3408, 3409.

3. *Suggested Communication between a Commercial Department in the Foreign Office and the Agents Abroad:*

Importance of direct communication between the proposed commercial department and the consuls abroad, *Ripley* 108, 109. 112-116. 231-237. 362. 419. 421 —— Grounds for concluding that the Foreign Office should deal with the commercial question in reference to foreign tariffs, and that the agents abroad would attach much more importance to supplying commercial information if the investigations of commercial matters vested with the Foreign Office instead of the Board of Trade, *Behrens* 640-658—— Proposition that a minister of commerce be attached to the Foreign Office who should conduct commercial negotiations with foreign countries, and should have the appointment and surveillance of consuls abroad, *Akroyd* 887-892.

4. *Question of Despatches docketed as "Commercial" being sent on at once from the Foreign Office to the Board of Trade:*

Suggestion that much delay may be avoided in the transmission of despatches to the Board of Trade if the foreign agents docketed their despatches as "political" or "commercial," and if the latter were in the first instance sent on at once from the Foreign Office, *Earl of Malmesbury,* 3209-3211.

Circumstance of some of the consuls now dividing their despatches under the heads of "political" and "commercial"; objections to this system being extended to all the consuls, *Hammond* 3320-3323 —— Objection to consuls' despatches, docketed "commercial," being sent to the Board of Trade without their being seen by the Secretary of State, *ib.* 3324. 3325. 3370-3376. 3380-3383.

Approval of Lord Malmesbury's suggestion that the commercial despatches from abroad should be docketed and forwarded at once to the Board of Trade, *Right Hon. T. M. Gibson,* 3462.

5. *Considerations as to the efficiency or inefficiency of the Consular Service:*

Witness complains, not of the high tariffs in foreign countries, but that men properly conversant with commercial matters are not appointed as consuls and diplomatic agents to make representations on the subject, *Ripley* 328. 343-366 —— Ignorance upon commercial matters of the great majority of our foreign consuls; grounds for this conclusion, *ib.* 355-366.

Report, 1864—*continued.*

Consuls and Consular Reports—continued.

5. *Considerations as to the efficiency or inefficiency of the Consular Service*—cont[d].

Opinion as to the more valuable character of the French consular reports than of the information given by the English consuls, *Behrens* 571, 572 ——Reference to a report by the Swiss consul at Japan as a model for consular reports, *ib.* 598, 599——Want of prompt and proper commercial information on the part of Government, adverted to as owing chiefly to omission on the part of the diplomatic and consular agents abroad, *ib.* 615–623——Secondary importance now attached by our foreign agents to commercial questions, *ib.* 657.

Circumstance of it having been found necessary in 1863 to issue a circular to the diplomatic and consular agents on the subject of the information in their reports, *Behrens* 826–828——Importance of the diplomatic and consular body constantly calling the attention of foreign governments to the principles of free trade, and the expediency of reducing their tariffs, *ib.* 829–834.

Reference to the magnitude of the diplomatic and consular service, and the large public expense in respect thereof, as compared with the small result obtained as regards the demands of the cotton trade, *Ashworth* 909–912——Further evidence on the subject of our large and expensive establishments abroad, and the small results derived as regards our export trade; conclusion as to the very imperfect action of the diplomatic and consular staff, *ib.* 943–981. 1001–1017. 1025–1049——Amendments contemplated by witness in the appointment of consuls as regards the qualifications to be required, *ib.* 946–957——Suggestions, as to the dissemination of information by the consuls and diplomatic agents, *ib.* 958–961. 968–972. 1031–1037.

Advantage if the consuls or diplomatic agents were promoted or rewarded with reference to the services done by them to commerce, *Ashworth* 961–963. 977. 1013–1017——Very little use of the consular reports; statement hereon as to witness not reading these reports, and as to the Manchester Chamber not taking in the "London Gazette" which contains them, *ib.* 980, 981. 1025–1027. 1059–1076. 1124–1126.

Nature of the check exercised in the Foreign Office over the consular reports in the event of any neglect in the matter, *Hammond* 1414–1417——Equal desire of the consuls to give every information about trade, as though their promotion rested with the Board of Trade, *ib.* 1521, 1522——Strong testimony borne by the Select Committee on the Consular Service in 1858, to the efficiency of the consuls, *ib.* 1522——Desire evinced by our diplomatic and consular agents to attend to matters of trade, *ib.* 1798, 1799——Very valuable commercial information is obtained from our agents abroad, *ib.* 1800.

Earlier information obtained by merchants upon matters of trade and changes of tariffs in foreign countries than is obtained by the Board of Trade through the reports forwarded by the Foreign Office, *Sir F. E. Tennent* 2284–2292——Many of the reports by the foreign agents are of a very valuable character, *Mallet* 2734——Importance of our agents abroad having a proper knowledge of the bearing of legislation upon trade, *ib.* 2826.

6. *Omission on the part of many Consuls to report to the Foreign Office:*

Small number of consular reports received in proportion to the number of persons in the consular service, *Mallet* 2730–2732——Reference to the apparent omission on the part of several consuls to make reports; doubt whether there has been any omission on their part in regard to special reports upon cotton, *Earl Russell* 3126–3130——Explanation upon the subject of the commission on the part of a large number of the consuls to make reports, *Hammond* 3334——Full reports received from the consuls in cotton-growing countries, *ib.* 3335, 3336.

7. *Suggested Transmission of the Consuls' Reports to the Chambers of Commerce:*

Expediency of the consuls' reports to the department at home, being forwarded to the chambers of commerce, *Ripley* 328. 344, 345——Statement as to the consular reports not being now furnished to the chambers of commerce, or put into a tangible shape for their use, *ib.* 329–335. 345. 367–370——Importance of the information received from abroad being disseminated to the chambers of commerce as promptly and efficiently as possible, *Behrens* 806–825.

8. *Practice considered in regard to the Publication of the Reports:*

Undue delay in the publication of the consular reports, so that their value is not much, *Behrens* 659–661——Expediency of Government collecting commercial information, and disseminating it to the chambers of commerce as promptly and efficiently as possible; defects of the system of publication in the "Gazette," adverted to hereon, *ib.* 806–825.

Absence of delay on the part of the Foreign Office in publishing the consuls' reports, *Hammond* 1816, 1817.

Check to be exercised by the Board of Trade before publishing the reports of the consuls, if the latter communicated directly with them, *Booth* 2154–2158——Delay in the publication of important information from abroad, on account of such information being

Report, 1864—*continued.*

Consuls and Consular Reports—continued.

8. *Practice considered in regard to the Publication of the Reports*—continued.

being supplied to the Board of Trade through the Foreign Office, *Mallet* 2454-2472——Practice as to the publication in the "London Gazette;" defects of this mode of publicity, *ib.* 2467-2470. 2803-2810.

Preparation and publication by the Foreign Office of the consuls' reports; formerly they were prepared for publication by the Board of Trade, *Mallet* 2733, 2734——Witness is not aware of the reason of the transfer from the Board of Trade, of the publication of the consuls' reports, *ib.* 2948-2950.

Rule followed by the Foreign Office as to the time of publishing the consular and diplomatic reports, *Hammond* 3341.

Disaffection on the part of the commercial community with respect to the system of publication as involving delay, *Rep.* iv.

9. *Transmission of the Reports from the Foreign Office to the Board of Trade:*

Practice in regard to the reports of consuls and secretaries of legations being forwarded to the Board of Trade, *Hammond* 1398-1404. 1413——The Foreign Office not only consult upon all questions connected with foreign treaties and tariffs, but communicate to the Board of Trade consular reports and other information connected with trade, *Sir J. E. Tennent* 2244-2249. 2284. 2293-2310.

Reference to the practice of the Foreign Office in regard to forwarding to the Board of Trade information received from consuls upon commercial matters, *Rep.* iii.

Consultative Department (*Commerce*). See *Board of Trade*, 10. *Commercial Department. Foreign Office*, 7, 8.

Cotton Trade. Large extent of district and enormous interests in cotton manufacture represented by the Manchester Chamber of Commerce, *Ashworth* 905-908——Statement showing the immense extent of the cotton manufacture and export of Lancashire and Cheshire, *ib.* 907——Small result obtained as regards the demands of the cotton trade, notwithstanding the magnitude of the diplomatic and consular service, and the large public expense incurred in respect thereof, *ib.* 909-912.

Statement showing the forward part taken by the Foreign Office in communication with the Manchester Chamber of Commerce and the Cotton Supply Association, with a view to increased supplies of cotton from sources other than the United States, *Hammond* 1801-1808——Means suggested by the Foreign Office in January 1861, for obtaining increased supplies through the agency of the consuls, or through agents specially appointed; advantage if this proposal had been adopted, *ib.* 1802. 1804——Ready part taken by the Foreign Office in communicating with chambers of commerce, and in forwarding the views of the Cotton Association, when witness was Foreign Secretary, *Earl of Clarendon* 3001——Full reports received from the consuls in cotton growing countries, *Hammond* 3335, 3336.

Considerations as to the part taken by the Board of Trade or by the Indian Office in reference to supplies of cotton from India, and other questions connected with Indian produce, *Right Hon. T. M. Gibson* 3484-3492.

Cowley, Lord. Lord Cowley offered witness every facility in his communications with the French Government, *Lindsay* 3273.——*See* also *France*, 1, 2.

D.

Delay:

1. *Representations as to the Occurrence and Causes of Delay under the preeent System.*
2. *Explanations on the part of the Foreign Office; Denial that any material Delay occurs.*

1. *Representations as to the Occurrence and Causes of Delay under the present System:*

Several causes to which the delay generally on the part of the Government is attributable, under the system of two departments for dealing with matters of foreign trade, *Behrens* 567——Further statement as to the system of two departments having frequently resulted in omissions and delays, *ib.* 605-612——Delay on the part of Government when tariff negotiations have been going on between foreign powers, *Ashworth* 979.

Tendency to a waste of time in the consideration of details by the Board of Trade in connection with questions of policy resting with the Colonial Office or Foreign Office, *Booth* 2221-2224.

Earlier information obtained by merchants upon matters of trade and changes of tariffs in foreign countries, than is obtained by the Board of Trade through the reports forwarded from the Foreign Office, *Sir J. E. Tennent* 2284-2292——Effect of political

Report, 1864—*continued.*

DELAY—continued.

1. *Representations as to the Occurrence and Causes of Delay, &c.*—continued.

considerations in retarding progress in the negotiation of treaties of commerce, *Sir J. E. Tennent* 2323; *Mallet* 2749-2752——Witness does not impute delay to the Foreign Office in connection with the reports by foreign agents, *Mallet* 2800–2802.

Particular instances of important decrees which appeared in the "Moniteur" having been gazetted by the Board of Trade from that journal, before receiving them from the Foreign Office, *Mallet* 2813. 2820, 2821——Occasional representation by the Board of Trade to the Foreign Office on the subject of the omission or delay in sending important foreign decrees to the Board, such omission resting most probably with our foreign agents, *ib.* 2814–2819.

Delay through the Board of Trade having to communicate with the Foreign Office, in connection with any negotiations for the removal of differential dues on shipping, through the Foreign Office not possessing the required knowledge in such matters, *Lindsay* 3247-3249.

Less rapid and effective transaction of business when it has to pass through two departments instead of one, *Right Hon. E. Cardwell* 3391.

Grounds upon which the commercial community are dissatisfied with the double action between the two departments as involving delay, *Rep.* iv.

2. *Explanations on the part of the Foreign Office; Denial that any material Delay occurs:*

With regard to some delay on the part of the Foreign Office in acknowledging a letter from the Bradford Chamber, dated 3 November 1860, there was doubtless an omission which should not have occurred, *Hammond* 1539–1541——Witness declines to offer any opinion in reference to a certain delay laid to the charge of Earl Russell in his communications with M. Van de Weyer, *ib.* 1574–1577——Statement to the effect that delay was not created under the system of two departments, in obtaining information from Turin relative to the negotiations with France, *ib.* 1625–1627——Absence of delay on the part of the Foreign Office in publishing the consuls' reports, *ib.* 1816, 1817.

Explanation as to the necessity of a certain delay in answering a communication from the Bradford Chamber of Commerce to the Foreign Office in 1859; previous delay on the part of the Bradford Chamber, *Hammond* 1818–1820——With regard to the complaints of delay under the present system of communication with the consuls, &c. there is practically no delay of any moment, *ib.* 1884–1886. 1943–1945. 1951.

There need be no delay under the present system of communication abroad, *Earl of Clarendon* 2987. 3009——Prompt communication of information to the Board of Trade when witness was Foreign Secretary, *ib.* 2993——Probability of some delays complained of by the commercial community having arisen through political causes, *ib.* 3044.

Expediency of its resting with the Secretary of State as to the most judicious time to open negotiations; impolicy of pressing matters unless there is fair prospect of success, *Earl Russell* 3117-3120. 3123.

With regard to the mode of dealing with foreign despatches when witness was Foreign Secretary, and the delay which ensued, it is explained to him (by Mr. Layard) that the system now in force is very prompt and rapid, *Earl of Malmesbury* 3226-3229.

Reference to the official steps taken in connection with a memorial from Huddersfield, as showing how delay sometimes rests with foreign Governments, *Hammond* 3300, 3301——There is not any practical inconvenience from the delay which occurs, *ib.* 3316——Probability of there being occasionally a delay of a few days before the Foreign Office forward communications to the Board of Trade; that is, in cases not urgent, *ib.* 3366–3369——As a general rule there is no delay in forwarding papers to the departments which they concern, *ib.* 3369.

See also *Belgium.* *Foreign Office.* *Italy.* *Zollverein.*

Denmark. Statement explanatory of the system in Denmark of treating commercial negotiations with foreign nations, *App.* 291.

Deputations. Statement as to deputations being referred from the Foreign Office to the Board of Trade, and from the Board of Trade to the Foreign Office, under the present system of two departments and divided responsibility; instance of this, *Akroyd* 887. 893-900.

Entire readiness of the Foreign Office to receive commercial deputations; letter from witness hereon to the association of Chambers of Commerce, *Hammond* 1501-1507.

Consultation generally with the Board of Trade before the Foreign Office give replies to commercial deputations; exceptions to this rule, *Sir J. E. Tennent* 2262, 2264–2271——Presence of witness or his colleague at the reception of deputations by the president of

Deputations—continued.

of the Board, *Sir J. E. Tennent* 2263——Suggestion that the deputations should go direct to the Foreign Office in applications of the ordinary kind, *ib.* 2283.

Ses also *Chambers of Commerce.* *Commercial Classes.*

Dewsbury Chamber of Commerce. Extract from a memorial of the Dewsbury Chamber of Commerce on the subject of the Franco-Italian Treaty of Commerce, *Hammond* 1702.

Diplomatic Service:

1. *Qualifications of the Foreign Agents considered with reference to their Action in Commercial Matters.*
2. *Question of Communication between the Board of Trade and the British Ministers and Agents Abroad.*

1. *Qualifications of the Foreign Agents considered with reference to their Action in Commercial Matters:*

Grounds upon which it is contended that the foreign agents are not zealous in commercial matters, or efficient in the discharge of their commercial duties, *Ripley* 328. 343–366; *Behrens* 615-623. 657. 826-828; *Ashworth* 909-912. 943-981. 1001-1017. 1025-1049——Usefulness of the commercial reports of secretaries of embassies; great delay at times before they are received by the Chambers of Commerce, *Behrens* 499, 500.

Evidence on the subject of our large and expensive establishments abroad, and the small results derived as regards our export trade; conclusion as to the very imperfect action of the diplomatic and consular staff, *Ashworth* 909-912. 943-981. 1001-1017. 1025-1049——Witness condemns the operations of our agents abroad by the barrenness of the results, but is not cognisant of the precise duties entrusted to the diplomatic service and consular service respectively, *ib.* 1025-1049.

Explanation as to the secretaries of Legations having no direct correspondence with the Foreign Office, *Hammond* 1404. 1411, 1412——Matters of general interest, as well as matters of trade, upon which the secretaries of Legation may report to the ministers abroad; delay at times in these reports being made, *ib.* 1412. 1417–1427——Explanation as to the secretary of Legation at St. Petersburgh not having reported since 1862; valuable report in that year, *ib.* 1420, 1421——Explanation also as to there not having been a report from the Secretary of Legation in Spain, *ib.* 1422–1425.

Valuable character of the information contained in the reports received from the foreign agents, *Hammond* 1800; *Mallet* 2734——Several circulars issued to heads of missions with reference to periodical reports by secretaries of embassy and legation, *Hammond* 1813, 1814——Necessity of attachés in the diplomatic service undergoing an examination in political economy, *ib.* 1815.

Great zeal displayed by our representatives at Paris, Turin and Berlin in co-operating with witness; importance attached by them to commercial matters, *Mallet* 2743, 2744——Omission in attachés not undergoing an examination in political economy, *ib.* 2826.

Approval of secretaries of embassies being in attendance at commercial conferences abroad, *Earl of Clarendon* 3039–3041——Grave censure to be attached to any neglect of commercial interests by the diplomatic servants, *ib.* 3045——Great attention paid by the diplomatic body to matters of commerce, *ib.*

The Foreign Office has shown every desire to obtain information from witness upon matters of trade, *Morier* 3138–3142——Desire on the part of the diplomatic servants to devote attention to matters of trade, *ib.* 3154——Entire inaccuracy of any impression that the Foreign Office discourages the study of commercial subjects by the diplomatic body, *ib.* 3155, 3156.

Statement as to the expediency of our ambassadors and diplomatists abroad having had a training in matters of commerce and navigation so that they might be more competent to deal with foreign governments on such questions, *Lindsey* 3259-3264. 3267-3269. 3273. 3282-3293.

Sundry circulars issued by the Foreign Office upon the subject of the functions to be discharged by the secretaries of embassy and legation, and the investigations and reports to be made by them with reference to commercial matters, *App.* 268–270.

Circular to ministers abroad, dated Foreign Office, 25 April 1863, with a view to their promptly forwarding the fullest and earliest information upon commercial matters abroad, *App.* 270.

Paper explanatory of the regulations for the examination of attachés in Her Majesty's Diplomatic Service, *App.* 271.

2. *Question of Communication between the Board of Trade and the British Ministers and Agents abroad.*

Witness contends that it is very undesirable that the Board of Trade, or the president of the Board should, as well as the foreign secretary, communicate directly with the

Report, 1864—*continued.*

Diplomatic Service—continued.

2. *Question of Communication, &c.*—continued.

foreign ministers; inexpediency thereof, as the latter would thereby be under two masters, *Hammond* 1860 *et seq.*

If simply with a view to the collection of information witness sees no objection to the Board of Trade corresponding not only with our consuls, but our misisters abroad, *Booth* 2026–2032——Evidence in favour of the Board of Trade being placed in more direct communication with the foreign agents, *Sir J. E. Tennent* 2301, 2302; *Mallet* 2471, 2472. 2644–2657 *et seq.* 2816–2819; *Earl of Malmesbury* 3210, 3211. 3218–3225—— Objection to commercial questions, which are apparently trifling, being dealt with by the Foreign Office in communication with the ministers abroad without reference to the Board of Trade, *Mallet* 2757–2760.

Objections to the proposition for more direct communication between the Board of Trade and the British agents abroad, *Earl of Clarendon* 2980. 2987–2991. 3011–3021; *Earl Russell* 3074–3076. 3085; *Lindsey* 3250–3254; *Hammond* 3311 *et seq*——Disapproval of the Board of Trade as well as the Foreign Office communicating directly with the British ministers abroad, as productive only of confusion, *Earl of Clarendon* 2990—— Advantage in the foreign agents communicating with the Foreign Office rather than with the Board of Trade as regards the inducement to them to be zealous, in commercial matters, *ib.* 3046.

Improvement if our foreign ministers could be put in possession of more complete information when negotiations are pending between foreign nations, *Earl Russell* 3070 —— Obstacle to the Board of Trade communicating directly with the diplomatic agents, commercial and political matters being closely intermixed in foreign countries, *ib.* 3073–3085.

Advantage, in the abstract, of the principle of direct communication, *Morier* 3163—— Benefit experienced by witness in communicating privately with Mr. Mallet on commercial matters, as well as with Mr. Layard; inference as to the advantage of more direct communication between the Board of Trade and the foreign agents generally, 3163–3172.

Probable removal of difficulty with the Foreign Office if the Board of Trade could communicate with the diplomatic body through the Foreign Office and under flying seal, *Right Hon. T. M. Gibson* 3463.

Direct Communication. See *Consuls and Consular Reports. Delay. Foreign Office. France* 1. *Italy. Responsibility.*

Draft Treaties. In almost the majority of instances the draft treaty is prepared by the Board of Trade rather than by the Foreign Office, *Sir J. E. Tennent* 2322.

Dundee. The Dundee Chamber of Commerce represents the Scotch linen trade, *Sturrock* 1129——The trade lies chiefly with America, but there is a large continental trade, *ib.* 1131, 1132——Immense increase since 1838 in the import of Indian jute to Dundee, and in the jute manufacture, *ib.* 1135–1140——High price of jute goods in Dundee through the cotton scarcity, so that articles of French manufacture are largely imported, *ib.* 1142, 1143.

Details relative to communications between the Board of Trade and the Dundee Chamber, before and after the Franco-Italian treaty, *Sturrock* 1168–1191——Representation made by the Dundee Chamber of Commerce to Government on the subject of the jute trade with the Zolliverein; subsequent communication from the Foreign Office, *ib.* 1212–1215——Explanation as to witness deeming it expedient at times to communicate with both departments on the same subject, although he would much prefer having but office to do with, *ib.* 1233–1235. 1272–1293——Further statement as to the French treaty having resulted in Dundee importing jute goods from France instead of exporting them to France; explanation on this point, *ib.* 1245–1247. 1262, 1263. 1322.

Doubt whether the memorial of the Dundee Chamber of Commerce in July 1862 was forwarded to Turin, *Hammond* 1677–1679.

Memorial of the directors of the Dundee Chamber of Commerce, dated 12 May 1862, with refereuce to the treaty between France and the Zollverein, and the expediency of steps being taken in the interests of the jute trade of Dundee, &c., *App.* 262–264.

Letter from the Dundee Chamber to the Board of Trade, dated 28 January 1863, upon the subject of the absence of any provision in the Italian tariff for manufactures of jute, *App.* 342.

E.

Edinburgh Chamber of Commerce. Memorial of the Edinburgh Chamber of Commerce, dated 20 May 1864 on the subject of the Franco-Italian Treaty of Commerce, *Hammond* 1702.

Evans,

Report, 1864—*continued.*

Evans, John. (Analysis of his Evidence).—Member of the firm of John Dickinson & Co., one of the largest in the paper trade, 1323——Is chairman of an association recently formed in the interests of the trade, 1324, 1325——Very unfair competition to which the paper trade is subjected on account of the heavy export duties on foreign rags, and the free admission of French paper into this country, 1326–1329. 1336, 1337. 1365–1367——Absence of official communication with the paper trade pending the negotiations for the French treaty, 1328——Frequent representations made in different quarters relative to the export duties upon foreign rags, but without effect, 1330–1332. 1346–1349.

Reference to a statement by Mr. Gladstone that France would make some concession as to the duty on rags, and that in Italy the duty would be abolished; question as to the information on which this statement, 1333, 1334. 1338. 1350, 1351. 1369–1372——Want of information displayed by Earl Russell on the subject of the paper trade and the rag duty, 1335. 1360–1364. 1373——Very close supervision required of foreign tariffs in the interests of the paper trade, 1336.

Increase in the export duty on rags in part of Italy, 1338–1341——Absence of official intimation to the paper trade when the Italian Tariff was being revised, and when an Envoy was sent to this country, 1342–1345. 1352–1354——Representations made on several occasions to the Foreign Office as well as to the Board of Trade, 1346–1349——Belief that France would have given us free trade in rags if insisted upon as a condition of our giving them free trade in paper, 1355–1359. 1368.

F.

Foreign Agents. See *Consuls and Consular Reports. Diplomatic Service.*

Foreign Countries. Particulars as to the practice in France, Prussia, and Italy, in regard to a foreign commercial department both in the Foreign Office and Ministry of Commerce, *Mallet* 2593–2597.

Paper submitted to the Committee showing the relations between the Foreign Office and Ministry of Commerce in foreign countries, *Hammond* 3350–3352; and *App.* 276 *et seq.*

Foreign Ministers. See *Board of Trade*, 9. *Diplomatic Service.*

FOREIGN OFFICE:

1. *Explanations as to the present practice of the Office in the transaction of business.*
2. *Exceptions taken to the present System as regards Commercial Matters.*
3. *Exemption of the Officials from fault.*
4. *Evidence in defence and approval of the present System of the Office, and of its relations with the Board of Trade.*
5. *Harmonious action between the two Departments.*
6. *Question as to the present System having produced but barren results.*
7. *Evidence in support of a Commercial Department in the Foreign Office as a means of obviating the double action under the present System.*
8. *Evidence opposed to the foregoing Proposition.*
9. *Statements in favor of a Special Clerk for attending to Communications with the Board of Trade.*
10. *Objections to the foregoing Proposal.*
11. *Question of Communication with Subordinates in the Board of Trade.*
12. *Question of relegating to the Board of Trade the primary Consideration of Commercial Despatches and Details.*
13. *Suggestion that the question of improved regulations had better have been left to the Departments themselves.*
14. *Details as to the part taken by the Office in regard to the Belgian and Italian Treaties.*
15. *Relations between the Foreign Office in other Countries and the Ministry of Commerce.*
16. *Conclusions and Recommendations of the Committee.*

1. *Explanations as to the present practice of the Office in the transaction of business:*

The permanent and Parliamentary under secretaries are on the same footing, and take the business between them according to a geographical division of the world, *Hammond* 1376–1379. 1385——Witness refers to a certain paper submitted in his evidence before the diplomatic committee, as best explaining the working of the office and the allotment of duties to the several clerks, *ib.* 1378. 1380. 1384——In the absence of one under secretary the other takes charge of the whole political department, *ib.* 1379——There is constant intercommunication between the two under secretaries; particulars on this point, *ib.* 1382–1384.

Report, 1864—*continued.*

FOREIGN OFFICE—continued.

1. *Explanations as to the present practice of the Office, &c.*—continued.

Detailed description of the system of the office, and of the mode of dealing with despatches, as contained in a paper drawn up by witness, and before referred to, *Hammond* 1384——Information as to the various subjects connected with foreign trade, upon which the Foreign Office communicate with the Board of Trade, *ib.* 1386-1406——Unreserved communication between the Foreign Office and Board of Trade with reference to all commercial negotiations with foreign countries, *ib.* 1405, 1406——Rule of the Foreign Office to act upon the suggestions of the Board of Trade on all mere commercial questions, *ib.* 1407-1410.

Any direct representations by commercial bodies to the Foreign Office are, as a rule, referred to the Board of Trade, *Hammond* 1441–1443——Communication, in writing, between witness and the secretary of the Board of Trade whenever the opinion of the Board is required, *ib.* 1446–1451. 1457-1464——Replies from the Board go, eventually, before the Foreign Secretary of State, *ib.* 1452——Consultation of the President of the Board of Trade by the Foreign Secretary whenever he deems it necessary, *ib.* 1453–1455. 1461.

Witness further explains the general practice of the Foreign Office in communicating information to the Board of Trade, or in referring to the Board for information, *Hammond* 1750–1752——Explanation that, in all cases of reduction or revision of tariffs, the Foreign Office would refer to the Board of Trade for information and assistance, *ib.* 1792–1795——Exceptional circumstances under which the Foreign Office some times act upon commercial questions without consulting the Board of Trade, *ib.* 1830, 1831.

Form of application by the Foreign Office to the Board of Trade for the required information; officials to whom the communications are generally addressed, *Booth* 2070–2079——Practice of the Foreign Office to send to the Board of Trade all the information which they consider concerns the department, *Sir J. E. Tennent* 2244-2249. 2284. 2293–2310——Origination, in the Foreign Office, of the communication between the two departments, *ib.* 2250–2252——The communications come in the name of the Secretary of State, and are addressed to the Secretary of the Board of Trade, *ib.* 2253–2255——With some few exceptions the communications take place in writing, *ib.* 2256–2260.

Consultations, generally, with the Board of Trade, before the Foreign Office gives replies to commercial deputations; exceptions to this rule, *Sir J. E. Tennent* 2262. 2264–2271——Discretion exercised by the Foreign Office, in regard to consulting the Board of Trade, when individuals complain first to the former department, *ib.* 2276–2278——Occasional difficulty through the Foreign Office omitting to supply information which is afterwards required; this is always remedied on application by the Board, *ib.* 2293–2299.

Opinion as to complete information, for the purposes of the Board being generally supplied by the Foreign Office, *Sir J. E. Tennent* 2300–2310——Statement as to political considerations not being always communicated to the Board; doubt as to any disadvantage on this score, *ib.* 2304–2310. 2323——Practice of the Foreign Office not always to consult the Board of Trade before treaties affecting commerce are concluded with foreign nations, *ib.* 2311–2329——Concurrence of the Foreign Office in all substantive recommendations by the Board of Trade relative to foreign tariffs; any delay has been from political considerations, *ib.* 2323——Reliable character of the information generally received by the Board of Trade from the Foreign Office, *Mallet* 2466.

Practice of the Foreign Office in forwarding to the minister abroad copies of the letters received from the Board of Trade, or, in sending instead despatches from the Secretary of State embodying such letters, *Hammond* 3362–3365.

2. *Exceptions taken to the present System as regards Commercial Matters:*

Witness has always felt that there was an immense amount of ignorance in the office as to commercial questions generally, *Ripley* 104, 105. 107——Witness dates chiefly from 1860 the grievances complained of in dealing with the Foreign Office, *ib.* 117–121. 130——The complaint against the Foreign Office refers not only to the Belgian Treaty, but to the Zollverein case and the Italian case, *ib.* 292, 293——Grounds for the conclusion that in the Foreign Office there is great ignorance upon commercial questions, and that the commercial community should have a properly informed department to go to on such matters, *ib.* 294–298.

Great disadvantage in having to deal with two departments of Government with regard to Foreign commerce, *Behrens* 577–580——Witness concludes that the Foreign Office has been neglectful in its requisitions and its communications generally with Foreign Governments, *ib.* 860–863. 865–873.

Statement as to deputations being referred from the Foreign Office to the Board of Trade, and from the Board of Trade to the Foreign Office, under the present system of two departments and divided responsibility; instance of this, *Akroyd* 887. 893–900.

Examination as to witness's data for the conclusion that Government have generally been

Report, 1864—*continued.*

FOREIGN OFFICE—continued.

2. *Exceptions taken to the present System, &c.*—continued.

been neglectful of the commercial interest in the matter of foreign tariffs, and have not made the required representations, *Ashworth* 1077-1115——Want of organization between the Foreign Office and Board of Trade, *Sturrock* 1242.

Frequency of the Board of Trade not being provided with sufficient information to enable them to advise the Foreign Office in commercial matters, *Mallet* 2473-2476—— Other cases in addition to that of the Italian Treaty, in which the Board of Trade were not supplied with sufficient information to advise the Foreign Office, *ib.* 2540, 2541—— Condemnation of the present relations with the Board of Trade as causing delay and irregularity, *ib.* 2588-2590——Impracticability of efficiency under the present indirect system, *ib.* 2609-2611——Witness has always found the greatest possible willingness in the Foreign Office and its agents to act on behalf of the commercial interests of the country; he finds fault with the system, not with the men, *ib.* 2945, 2946. 2973, 2974.

Inconvenience in the Foreign Office having to consult the Board of Trade upon all tariff questions, *Mallet* 2951, 2952——Obstacle to the Board of Trade making representations to the Foreign Office in disapproval of their mutual relations, *ib.* 2966-2968 ——Though there may be some remissness on the part of the Foreign Office in the interests of British trade abroad, there certainly is not any intentional remissness, *ib.* 2973, 2974.

Less rapid and effective transaction of business when it has to pass through two departments, instead of one, *Right Hon. E. Cardwell* 3391.

3. *Exemption of the Officials from Fault:*

Courtesy and attention experienced at the hands of the officials, the system being alone to blame, *Ripley* 104, 105; *Ackroyd* 887; *Sturrock* 1240. 1248-1251——The system of twofold offices is altogether wrong, but the men are not at all to blame, *Behrens* 864; *Mallet* 2945, 2946. 2973, 2974.

4. *Evidence in Defence and Approval of the present System of the Office, and of its Relations with the Board of Trade:*

Examination to the effect that there is no disadvantage as regards commerciel questions in the Secretary of State not, as a rule, directly consulting the permanent officials of the Board of Trade; whenever he requires more ample information, he can consult whom he pleases, *Hammond* 1455-1481——Under the present system it may be said that the detailed opinion of the Board of Trade is really before the Foreign Office, *ib.* 1479, 1480——Absence of inconvenience or disadvantage in having to refer to another department for the required information on commercial questions, *ib.* 1482. 1508-1510.

Opinion of one of the foreign ministers (Baron Brunnow) as to the great efficiency of our Foreign Office under the present system, *Hammond* 1490. 3342——Advantage of the arrangement whereby commercial questions with the Board of Trade are dealt with by the clerks in the office according to the countries allotted to the several clerks, *ib.* 1491——Entire readiness of the Foreign Office to receive commercial deputations; letter from witness hereon to the Association of Chambers of Commerce, *ib.* 1501-1507—— Witness sees no disadvantage in commercial representations being made to two offices, *ib.* 1508-1510——Speculative character of the evidence generally upon which the conduct of witness's department has been impugned, *ib.* 1700.

When at the Foreign Office witness anxiously considered the relations with the Board of Trade, but was not able to suggest any more efficient arrangements than those now in force, *Earl of Clarendon* 2980——Prompt communication of information to the Board of Trade when witness was Foreign Secretary, *ib.* 2993——Want of foundation for the complaint of chambers of commerce that their representations are not properly or promptly attended to under the system of two departments, *ib.* 3014-3017. 3029—— Denial that the Foreign Office avows its ignorance, or is ignorant, upon commercial questions, although there is necessity for its consultation of the Board of Trade, *ib.* 3022-3027. 3047——Witness would gladly suggest any change that promised improvement, but he sees no room for any radical change in the present system, *ib.* 3043.

When witness requires commercial information of any importance, he consults Mr. Milner Gibson, and has every facility of obtaining information or advice, *Earl Russell* 3063-3065——With regard to the mode of dealing with foreign despatches when witness was Foreign Secretary, and the delay which ensued; it is explained to him (by Mr. Layard) that the system now in force is very prompt and rapid, *Earl of Malmesbury* 3226-3229.

Great facility with which witness has obtained information from the Foreign Office, *Lindsay* 3262. 3271——Peculiarly excellent character of the business arrangements of the office; opinion that it is the best arranged of all the public departments, *ib.* 3262. 3270-3272.

FOREIGN OFFICE—continued.

4. *Evidence in Defence and Approval of the present System, &c.*—continued.

Witness maintains that his department is well competent to deal with questions of commercial policy, and that it exercises an efficient supervision in this respect, though it leaves the details of tariffs to the Board of Trade, as the more competent body in such matters, *Hammond* 3308–3310. 3356–3360——Further statement as to the prompt action of the Foreign Office with reference to all important communications from or with the Board of Trade, *ib.* 3316——Steps now taken by the Under Secretaries in order that no time may be lost in forwarding commercial information to the Board of Trade, *ib.* 3325–3327. 3371——Several important matters relative to tariffs, independently of the actual details, over which matters the Foreign Office are careful to exercise supervision, *ib.* 3356–3360.

5. *Harmonious Action between the two Departments:*

Perfectly harmonious action between the Foreign Office and Board of Trade, *Sir J. E. Tennent* 2405, 2406——Thoroughly cordial feeling between both offices with a view to the advancement of the public service, *Morier* 3172——Facilities of witness for knowing what action is being taken at the Foreign Office upon information communicated by the Board of Trade, *Right Hon. T. M. Gibson* 3452, 3453——Witness has never found the slightest difficulty at the Foreign Office in obtaining the fullest information upon any subject that he was desirous of inquiring into, *ib.* 3453.

6. *Question as to the present System having produced but barren Results:*

Condemnation of the present relations between the Foreign Office and the Board of Trade on account of the barrenness of the results; witness does not know what the precise relations are, *Ripley* 259–269. 286, 287.

Inaccuracy of a statement by Mr. Ripley as to the operations of the Foreign Office and Board of Trade under the present system being attended with a barrenness of results, *Mallet* 2858–2864.

7. *Evidence in support of a Commercial Department in the Foreign Office as a means of obviating the Double Action under the present System:*

Grounds for the conclusion that there should be one department solely responsible in the matter of foreign trade and commercial negociations, and that the double action and divided responsibility under the present system should at once be abolished, *Ripley* 108 *et seq.* 392–422——Consideration of the question whether the Foreign Office or Board of Trade should supply the proposed department; respects in which the Foreign Office is the more fitting place for it, *ib.* 109–129——Understanding as to the Foreign Office being the proper department to which to apply for information upon foreign commercial questions, *ib.* 254–258.

Grounds for concluding that the Foreign Office should deal with the commercial question in reference to foreign tariffs, and that the agents abroad would attach much more importance to supplying commercial information if the investigation of commercial matters was vested with the Foreign Office instead of the Board of Trade, *Behrens* 640–658——Consideration of objections to the proposition that that portion of the Board of Trade which relates to foreign commerce should be incorporated into the Foreign Office, *ib.* 797–810. 850–852.

Opinion as to the advantage that would result if the Foreign Office attended entirely to matters of foreign trade, and had an efficient staff for the purpose, *Sturrock* 1288–1298.

Evidence to the effect that there would be no disadvantage or difficulty in transferring to the Foreign Office those officers of the Board of Trade who now supply information to the former department with reference to foreign trade; necessity, however, in many cases of the Board of Trade and the Statistical Department being still consulted, *Booth* 1990–2003. 2013–2025——A Commercial Department in the Foreign Office would, after consulting the Statistical Department, communicate directly to the Foreign Secretary, whereas at present the required information from the Statistical Department is communicated through the Board of Trade, *ib.* 2016–2025——Facility of direct communication between a Commercial Department in the Foreign Office and the Statistical Department, *ib.* 2085–2089.

Witness contemplates that there should be at the Foreign Office a chief clerk or Under Secretary, with one or two assistants, to supply the information required in conducting the ordinary correspondence relating to foreign trade; such an officer as Mr. Mallet could efficiently fill this position, *Booth* 2091 *et seq.*——Contemplated communication of the proposed officer with the Secretary of State, it being still open to the latter to obtain information also from the Board of Trade, *ib.* 2094–2124——Responsibility of the Secretary of State considered in connection with the functions to be exercised with the proposed official, *ib.* 2094–2109. 2163 *et seq.*——The proposed officer might communicate freely with the statistical department, *ib.* 2125–2127——Effect of the proposed staff in the Foreign Office in obviating any delay that may arise under the present system, *ib.* 2128–2131.

FOREIGN OFFICE—continued.

7. *Evidence in support of a Commercial Department, &c.*—continued.

Further reference to the responsibility of the Secretary of State in acting upon information obtained from a commercial department in the Foreign Office and from the Board of Trade, *Booth* 2163-2168. 2179-2186. 2195-2200 —— Explanation that witness does not appear before the Committee as an opponent to the present system generally, though he conceives that some advantage would result from a Commercial Department in the Foreign Office, *ib.* 2187-2200——Degree of responsibility in Parliament, or in respect of correspondence abroad, which might attach to a commercial Under Secretary at the Foreign Office, *ib.* 2225, 2226. 2233-2237——With regard to the expense of the contemplated department, there might, on the other hand, be a saving in the staff at the Board of Trade, *ib.* 2227.

Importance attached to the proposition for a Commercial Department in the Foreign Office, *Mallet* 2591, 2592——Expediency of a Commercial Department in the Foreign Office being so constituted that it should have equal weight and authority to that now possessed by the Board of Trade; question hereon as to the appointment of a political Under Secretary of such department, *ib.* 2599-2601. 2627——Witness is aware of Mr. Hammond's objections to a Commercial Department in the Foreign Office, *ib.* 2642, 2643.

Opinion that the most perfect system would be to make the Foreign Office a self-contained office, like the India Office; objections to this view considered, *Mallet* 2736. 2782. 2908-2931——Necessity on many occasions of a Commercial Department in the Foreign Office consulting other departments, *ib.* 2782——Contemplated consultation of the Board of Trade upon questions belonging to the executive functions still attached to that department, *ib.* 2908. 2921-2923—— Certain additions to the staff would doubtless be required, *ib.* 2917.

Consideration of the question as to the responsibility respectively of the Secretary of State and of an Under Secretary in charge of the proposed commercial branch; doubt as to any serious difficulty on this score, *Mallet* 2924-2931. 2957-2966——Advantage of a Parliamentary Under Secretary at the head of the department, *ib.* 2925. 2959-2964.

Approval of the promotion of a commercial department in the Foreign Office by the transfer of permanent officials from the Board of Trade, or by an extension of the existing consular department, *Lindsay* 3254. 3255. 3294.

Opinion that the Foreign Office need no consultation with any other department with reference to the principle of reductions in the Italian tariff, or any other foreign tariff, *Right Hon. E. Cardwell* 3389. 3403——Dissent from the view of Mr. Hammond as to the necessity of the Foreign Office still consulting the Board of Trade, even if there were a commercial department in the former office, *ib.* 3390——Several sources of detailed information equally open to the Foreign Office directly as indirectly through the Board of Trade, *ib.* 3403.

Witness contemplates that the Foreign Office or Colonial Office should still apply for information to the Board or Trade upon certain matters of detail, but should not apply to it as a consultative department, *Right Hon. E. Cardwell* 3412-3429——An officer like Mr. Mallet could, if in the Foreign Office, efficiently and advantageously give information or advice, for which reference is now made to a separate department, *ib.* 3415-3417.

Larger consultation of the Board of Trade by the Foreign Office than by the Treasury or Colonial Office, *Right Hon. T. M. Gibson* 3440-3442——Effect of a Commercial Department in the Foreign Office to lead to a virtual abolition of the Board of Trade as regards its promotion of the commercial interests in connection with foreign trade, *ib.* 3454, 3455——Anticipated sufficiency of the proposed department as a means of carrying out all ordinary correspondence with foreign countries without reference to the Board of Trade, *ib.* 3456. 3514.

8. *Evidence opposed to the foregoing Proposition:*

Strong objection to a department of commerce in the ForeignOffice for dealing with all matters relating to foreign trade; the office is already burdened with work, and the proposed increase of functions would swamp it altogether, *Hammond* 1478. 1483 *et seq.*—— Impracticability of the Secretary of State attending to the details of commerce, *ib.* 1478.

Evidence in further support of witness's objections to a commercial department in the Foreign Office which should supersede all reference to the Board of Trade in matters of foreign commerce, *Hammond* 1756 *et seq.*——Great prejudice to the organization of the Foreign Office if there were a commercial department imported into it; difficulty in regard to the division of clerical labour, office hours, promotion, &c., *ib.* 1759, 1760—— Necessity in any case of consultation with the Board of Trade even if there were a commercial department, *ib.* 1769, 1770. 1776-1778——Obstacle to a commercial department of the Foreign Office being represented in Parliament, or being properly superintended by either of the present Under Secretaries, *ib.* 1776-1778.

Reference to, and quotation of, the opinions of senior clerks in the Foreign Office upon a paper circulated by the Bradford Chamber of Commerce in favour of a commercial department in the Foreign Office; adverse conclusions arrived at by these gentlemen

Report, 1864—*continued.*

FOREIGN OFFICE—continued.

8. *Evidence opposed to the foregoing Proposition*—continued.

relative to this proposition, whilst they defend the present system, *Hammond* 1821-1825——Further conclusion as to the necessity of consultation with the Board of Trade even if there were a commercial department in the Foreign Office, *ib.* 1841. 1845-1848.

Conclusion that the remedy of any supposed grievance of the commercial community would be dearly purchased by injuring the efficient working of the Foreign Office, *Hammond* 1848-1852——Witness is not wedded to routine, and would readily promote any changes in the office that tended to the public advantage or convenience, *ib.* 1852-1854——Doubt as to any appreciable increase of labour through the Foreign Office having to communicate by writing with a department not under the same roof; disapproval of verbal communications, *ib.* 1854-1859.

Expediency of commercial representations being still made to the Foreign Office, and of that department resorting to the Board of Trade for information, the responsibility of action resting with the Foreign Secretary, *Sir J. E. Tennent* 2283. 2338-2340. 2379-2393——Necessity, in many cases, of application being made to both departments, notwithstanding any arrangements that might be made at the Foreign Office, *ib.* 2283——With regard to the formation of a commercial department in the Foreign Office, witness is satisfied it would never work well, *ib.* 2330-2332——Belief that if the proposed department were established, the present establishment of the Board of Trade would be equally required, and two offices, instead of one, must be consulted, *ib.* 2332-2334——Objection on account of the additional labour to be imposed upon the Secretary of State, *ib.* 2334-2337. 2379-2391——Disapproval of the proposed department being under a Parliamentary Under Secretary, *ib.* 2335.

Apprehended antagonism between the departments if each acted upon the advice of a commercial branch of its own, *Sir J. E. Tennent* 2340——With regard to its being felt as a grievance that the commercial community are referred from one office to another, the necessity of application to both departments would still exist if there were a commercial branch in the Foreign Office, *ib.* 2414-2427.

Objection to a commercial department in the Foreign Office, whether under a permanent Under Secretary, or a Parliamentary Under Secretary, *Earl of Clarendon* 2981-2983——Grounds for concluding that the Secretary of State would equally deem it necessary to consult the Board of Trade even if there were a commercial branch in the Foreign Office, so that there would be no saving of time or labour, *ib.* 2982-2985. 3007——Any supposed ignorance in a Foreign Secretary upon commercial matters would not be removed by a commercial branch in the office any more than by the Board of Trade, *ib.* 3007——Witness repeats his opinion that a commercial department in the Foreign Office would not work well, *ib.* 3042.

Disadvantage rather than advantage would result from a commercial department in the Foreign Office, whether under a Parliamentary or a permanent Under Secretary, *Earl Russell* 3059-3062——The Foreign Secretary has ample work to do without entering into the details of trade, *ib.* 3060——Information would most probably still be required from the Board of Trade, so that matters would be more complicated than at present, *ib.* 3062——Witness, though at present opposed to a commercial department in the Foreign Office, will carefully consider the suggestions, as well as others that have been submitted to the Committee, *ib.* 3089.

Witness considers that the delay complained of, under the present relations between the Foreign Office and Board of Trade would not be obviated by the establishment of a commercial department in the former office, *Earl of Malmesbury* 3207-3209. 3212. 3239——The proposed department would not remove the necessity of consulting the Board of Trade, *ib.* 3212.

9. *Statements in favour of a Special Clerk for attending to Communications with the Board of Trade;*

Improvement if there were a special clerk in the Foreign Office in charge of the communications with the Board of Trade, *Sir J. E. Tennent* 2359-2364. 2366. 2373. 2392-2401——Further statement as to the advantage of a special clerk or a registrar in the Foreign Office in order to see that communication with the Board of Trade was promptly and efficiently carried out, *ib.* 2428-2435.

Advantage of an officer in the Foreign Office specially charged with the duty of attending to the Board of Trade correspondence, and who should also communicate freely with the officials of the Board, *Mallet* 2612-2615——It would, however, be but a subordinate advantage to have some one in the Foreign Office whose special duty it should be to see that the correspondence with the Board of Trade was conducted with promptitude and despatch, *ib.* 2753.

Probable advantage of a special officer in the Foreign Office for attending to the correspondence with the Board of Trade, and for receiving information from that department, *Earl Russell* 3066. 3085——The despatches in reference to politics and commerce are very much mixed up under the geographical arrangement, *Earl of Malmesbury* 3216——

Probable

FOREIGN OFFICE—continued.

9. *Statement in favour of a Special Clerk, &c.*—continued.

Probable improvement if there were a special clerk in the Foreign Office for superintending the communications with the Board of Trade, *Earl of Malmesbury* 3216. 3237, 3238——Approval of an officer at the Foreign Office whose especial duty it should be to put forward all commercial business, *Right Hon. T. M. Gibson* 3464.

10. *Objections to the foregoing Proposal:*

Respects in which much disadvantage would ensue if there were special clerks for communicating with the Board of Trade; special character of the slave trade department adverted to hereon, *Hammond* 1492–1496——Doubt as to any improvement or despatch if there were a special clerk in the Foreign Office for superintending the correspondence with the Board of Trade, *Earl of Clarendon* 2998——Tendency to a prevention of dispatch if there were one department in the office which should exclusively deal with questions of commerce, and attend to the forwarding of papers to the Board of Trade; this is now the duty of the senior clerk in each division, *Hammond* 3376–3379.

11. *Question of Communication with Subordinates in the Board of Trade:*

Convenience of communication between the subordinates of different departments, *Booth* 2171–2174——Witness does not propose that the Foreign Secretary should send for Sir Emerson Tennent or witness to consult them, but can conceive that much convenience would arise from this practice in some cases, *ib.* 2172–2186. 2201–2203.

12. *Question of relegating to the Board of Trade the primary consideration of Commercial Despatches and Details:*

Suggestions that the despatches from abroad be docketed "commercial" and "political," and that the former be transmitted at once from the Foreign Office to the Board of Trade, and be dealt with in the first instance by the latter department, *Earl of Malmesbury* 3209–3211——Approval of the foregoing proposition, *Right Hon. T. M. Gibson* 3462.

Witness contemplates that the Foreign Office should still be responsible for the carrying out of treaties, but that all the technical part, so far as trade is concerned, should be managed by the Board of Trade, *Earl of Malmesbury* 3218-3223. 3239.

Inexpediency of any arrangement whereby the Secretary of State, or the Office generally, should not have cognisance of commercial matters as reported by the foreign agents, *Hammond* 3324, 3325. 3370–3383.

13. *Suggestion that the Question of improved Regulations had better have been left to the Departments themselves:*

Witness regrets that a deputation from the chambers of commerce did not see Mr. Layard and himself upon the matters referred to the present Committee, *Hammond* 1505.

Opinion that any improvements feasible in the present system of the departments can best be left for adoption to the departments themselves, *Earl of Clarendon* 3050.

14. *Details as to the Part taken by the Office in regard to the Belgian and Italian Treaties:*

Correspondence on the part of the Foreign Office in the years 1860–62 with reference to the treaty with Belgium, *App.* 295–333.

Correspondence on the part of the Foreign Office in 1862–63 on the subject of the Franco-Italian treaty, and the negotiation of a treaty between this country and Italy, *App.* 344–355.

15. *Relations between the Foreign Office in other Countries and the Ministry of Commerce:*

Reports from Her Majesty's Ministers, at the principal European courts, as to the relations between the Foreign Office and the Ministry of Commerce in the countries in which they reside, *App.* 276–294.

16. *Conclusions and Recommendations of the Committee:*

Absence, as a rule, of personal intercourse between the permanent officials of each department, *Rep.* iii——Circumstance of its being at the option of the Foreign Secretary, with regard to the official correspondence, whether he asks for the advice of the Board of Trade, or follows it, or gives reasons for not doing so, *ib.*——Summary of the existing arrangements and practice in regard to the Foreign Office referring matters to the Board of Trade, and consulting the Board by means of correspondence, *ib.* iii, iv.

Several grounds upon which the public are dissatisfied with the present relations of the department towards the Board of Trade, *Rep.* iv——Consideration of the proposition that the Foreign Office should be self-sufficing for commercial as well as for other matters, and should no longer refer them to the Board of Trade; objection on the whole to this proposal, *ib.* v——Grounds upon which the Committee recommend that an

Report, 1864—*continued.*

FOREIGN OFFICE—continued.

16. *Conclusions and Recommendations of the Committee*—continued.

officer or officers be appointed in the Foreign Office to conduct its correspondence with the Board of Trade, *Rep.* vi.

See also *Admiralty. Austria. Belgium. Board of Trade,* 110. *Bradford Chamber of Commerce. Chambers of Commerce. Cobden, Mr. Commercial Classes. Commercial Department. Consuls and Consular Reports. Cotton Trade. Delay. Deputations. Diplomatic Service. France. Manchester. Prussia. Publication of Commercial Information. Reciprocity Treaty. Responsibility. Russia. Shipping. Slave Trade Department. Spain. Sweden. Treaties of Commerce. Treaty Department. Zollverein.*

FRANCE:

1. *Treaty of Commerce between France and Great Britain.*
2. *System in France of dealing with Commercial Questions and Negotiations.*
3. *Offer on the part of France to admit a British Representative to her Negotiations with other Countries.*

1. *Treaty of Commerce between France and Great Britain:*

Satisfactory manner in which the Board of Trade exercised extended functions with reference to the French commercial treaty, *Ripley* 108. 118. 133–138——Grounds for concluding that although Lord Cowley was joint negotiator with Mr. Cobden in the matter of the French treaty, he had little or nothing to do with the tariff arrangements, which were settled by Mr. Cobden and Mr. Mallet in communication with the Board of Trade, *ib.* 238–253. 288, 289. 312–317.

Benefit derived by the Bradford trade under the French commercial treaty, from the circumstance of the trade having been represented by witness and others when the negotiations were being carried on at Paris, *Behrens* 523–525——Satisfactory manner in which the details of the French commercial treaty were carried out under the Board of Trade and Mr. Cobden, *Behrens* 578. 600–604. 638; *Sturrock* 1242–1244——Statement as to the treaty having been successfully carried through, notwithstanding the relations between the Foreign Office and Board of Trade, *Behrens* 712–722.

Details explanatory of the course pursued respectively by the Foreign Office and by the Board of Trade in the diplomatic negotiations and in the tariff revision in the matter of the French commercial treaty; harmonious action between the two departments, *Hammond* 1779–1789——Reasons for handing over to the Board of Trade the details in connection with the treaty further adverted to; exceptional circumstances which caused this departure from the usual course, *ib.* 1861–1863. 1898–1912. 1936–1940——Reasons for objecting to any direct communication between Mr. Mallet on the part of the Board of Trade and the French Government upon any questions of detail still arising out of the treaty, *ib.* 1864–1873.

Exceptional, but satisfactory manner in which the negotiations of the details of the French treaty was conducted, *Booth* 2162. 2169, 2170——The Board was not consulted until after the completion of the French treaty, *Sir J. E. Tennent* 2321. 2351; *Mallet* 2550——Probability of advantageous representations on the part of the Board if it had been referred to at an earlier stage of the French treaty, *Sir J. E. Tennent* 2351–2353.

Advantage in the case of the French treaty of the details having been left to the Board of Trade, *Mallet* 2644-2647——Particulars as to the circuitous course pursued in dealing with individual representations to the Board of Trade upon matters arising out of the treaty; more prompt settlement of such questions if the Board could communicate directly with Lord Cowley, *ib.* 2679–2707——Investigation of the question as to the actual delay attributable to the system of communication with Lord Cowley through the Foreign Office; witness makes no charge against the Foreign Office in the matter, *ib.* 2691–2709.

The correspondence between the Board of Trade and the Treaty Commissioners in Paris operated very satisfactorily, but this case was one of quite an exceptional character, *Earl of Clarendon* 3010–3012. 3019–3028——Non-objection to the Board of Trade still communicating directly with Paris on questions arising out of the French treaty, *ib.* 3011. 3019. 3053–3055.

Statement of the circumstances under which the treaty of commerce with France was first brought forward, *Earl Russell* 3081.

Witness has prepared and submitted a memorandum showing in detail the relative action of the Foreign Office and Board of Trade, and the steps taken by Lord Cowley and Mr. Cobden, in the negotiation of the French treaty of commerce, *Hammond* 3298.

2. *System in France of dealing with Commercial Questions and Negotiations:*

Advantage if there were a department in England similar to that of the Ministry of Commerce

Report, 1864—*continued.*

FRANCE—continued.

2. *System of France in dealing with Commercial Questions, &c.*—continued.

Commerce in Paris, the minister not being bound to communicate through the Foreign Office, *Ripley* 337-342——Advantageous position of France in regard to commercial treaties, and as a means of bringing about reductions in the tariffs, *Behrens* 835-843. 847-849. 872——Several treaties made by France with foreign countries for reduction of their tariffs, *ib.* 839-843——Suggestion as to the course to be pursued by this country in connection with the negotiation of treaties of commerce between France and foreign countries, *Ackroyd* 892——Grounds for the statement that in the competition for treaties of commerce France has latterly beaten us, *Ashworth* 1050-1058.

System of a Foreign Office Commercial Department, in France and some other foreign countries adverted to as not desirable for adoption in this country, *Hammond* 1489, 1490.

Mode of operation of the Commercial Department in the French Foreign Office, *Mallet* 2756——Instance of the French Minister of Commerce communicating with a French agent abroad, *ib.* 2785, 2786. 2969——Doubt as to France having concluded any more treaties than Great Britain in recent years, *ib.* 2862-2864——Circumstance of Lord Cowley being in constant and direct intercourse with the Minister of Commerce at Paris, *ib.* 2885. 2969.

With regard to France, there is a Commercial Department in the Foreign Office, but there is also a Ministry of Commerce, *Earl of Clarendon* 3008——Statement showing that in Paris Lord Cowley does not communicate directly with the Minister of Commerce, but only with the French Foreign Office, *Hammond* 3304, 3305. 3347——Resemblance between the Commercial Department in the French Foreign Office and the Consular and Treaty Departments in the English Foreign Office; more extensive functions of the former department, *ib.* 3306. 3353-3355.

Constant communication between the Commercial Department and the Ministry of Commerce, *Hammond*, 3346——Further statement that in France the Ministry of Commerce does not correspond with the diplomatic or consular agents, *ib.* 3348-3355——Particulars as to the constitution and bearings of the Commercial Department in the French Foreign Office, *ib.* 3350. 3353-3355.

Report by Mr. Grey, dated Paris, 24 April 1864, as to the relative action of the Ministry for Foreign Affairs and of the Ministry of Commerce, *App.* 277.

3. *Offer on the part of France to admit a British Representative to her Negotiations with other Countries:*

Probability of great advantage having been derived if the Board of Trade had it in its power to appoint an agent to act, or if witness when in Paris had authority to act, with the representatives of France at the time of the French negotiations with Italy, Belgium, &c., *Mallet* 2648-2656.

Further reference to the circumstance of its having been stated to witness when in Paris that the French Government would have associated a British agent with their own representatives in their negotiations with Belgium, &c. *Mallet* 2942-2944.

With regard to an intimation by the French Government to Mr. Cobden that they would gladly admit a British representative to co-operate in their negotiations with other countries, witness does not recollect that Mr. Cobden ever transmitted this intimation to the Foreign Office, *Earl Russell* 3121, 3122.

See also "*Annales du Commerce.*" *Belgium.* *Italy.* *Rags.*

Free Trade. Strong feeling on the continent in favour of free trade; instance of this in Belgium, *Behrens* 581-583——Importance of the diplomatic and consular body constantly calling the attention of foreign governments to the principles of free trade, and the expediency of reducing their tariffs, *ib.* 829-834.

Reference to two circulars and statistical papers sent in different years to our diplomatic agents abroad to be laid before foreign governments, as showing the advantage of a free trade policy, *Hammond* 1809-1811——The Foreign Office have recently applied to the Board of Trade for another statement for foreign circulation as to the expediency of free trade, *ib.* 1812.

Great importance of the Board of Trade having direct communication abroad on the score of the propagation of the principles of free trade; disadvantage in this respect in having to communicate through the Foreign Office, *Mallet* 2662-2678.

Difficulty in obtaining concessions on account of our having nothing to concede in return, through having adopted the principles of free trade, *Earl of Clarendon* 3048.

Expediency of our foreign agents being more largely employed in impressing the principles of free trade upon foreign nations, *Lindsay* 3288-3293.

Paper relative to the effects of the free trade policy recently inaugurated in England, as indicated by its practical results, *App.* 266, 267.

French Commercial Treaty. See *France.*

Report, 1864—*continued.*

G.

Gibson, The Right Hon. Thomas Milner (Member of the Committee). (Analysis of his Evidence.)—Has been President of the Board of Trade since 1859; was formerly Vice-President, 3430–3433——Explains the relations between President and Vice-President, and the arrangements between them for the division of business, 3434-3438——The Vice-President may be said to have a co-ordinate authority with the President, 3437.

Expediency of the president being a Cabinet Minister, and of his being provided with proper facilities for obtaining commercial information wherewith to advise his colleagues, 3439. 3461——Larger consultation of the Board of Trade by the Foreign Office than by the Treasury or Colonial Office, 3440–3442——Non-consultation of the Board by the India Office, though the latter sometimes applies for information, 3443.

Transition state of the Board of Trade at the present time, it being settled that the department, when reconstituted, is to comprise two secretaries and four assistants, 3444 3447——Doubt whether the consultative business of the department could ever occupy much less of the staff than it now does, 3447—— Propriety of the Foreign Secretary, rather than the President of the Board of Trade, replying to questions in Parliament upon matters of foreign trade, 3448——Advantage in commercial deputations coming to the Board of Trade, 3449.

Responsibility of the Foreign Office rather than of the Board of Trade in regard to action with foreign countries in matters of trade; opinion that both departments should be, and are, jointly and severally responsible, 3450——Modes of conveying information from the Board of Trade to the Foreign Office; verbal communication frequently between witness and the Secretary of State, 3451——Facilities of witness for knowing what action is being taken at the Foreign Office upon information communicated by the Board of Trade, 3452, 3453.

Effect of a commercial department in the Foreign Office to lead to a virtual abolition of the Board of Trade, as regards its promotion of the commercial interests in connection with foreign trade, 3454, 3455——Absence of necessity for maintaining the commercial and general department of the Board of Trade, if there were a commercial department in the Foreign Office, 3455——Anticipated sufficiency of the proposed department as a means of carrying on all ordinary correspondence with foreign countries, without reference to the Board of Trade, 3456. 3514.

Doubt whether the commercial classes would consider their interests so well represented if, in lieu of the present system, they were to communicate upon important questions with a department in the Foreign Office, 3456, 3457. 3514——Expediency of the Board of Trade being limited entirely to executive duties, if the proposed department were established, 3458——Considerable extent to which the Board of Trade is now made use of by the Treasury in matters relating to the revenue, 3459——Greater or less importance of the department accordingly as the president is more or less active, 3460, 3461.

Apprehended difficulties to the Foreign Office if the Foreign Ministers were to communicate directly with the Board of Trade, 3462. 3483——Approval of Lord Malmesbury's suggestion that the commercial despatches from abroad should be docketed and forwarded at once to the Board of Trade, 3462——Probable removal of difficulty with the Foreign Office if the Board of Trade could communicate with the diplomatic body through the Foreign Office, and under flying seal, 3463——Advantage if there were an officer at the Foreign Office whose especial duty it should be to put forward all commercial business, 3464.

Explanation as to the nominal character of the committee under which the business of the Board of Trade is conducted; there is no reason why this fiction should not be abolished, and the business carried on in the name of the president, or of a secretary of commerce, 3465–3474.

Limited information received from abroad by the Board of Trade, save through the Foreign Office, 3475-3477. 3503–3508 —— Functions exercised by the Board with reference to British and Colonial trade, 3478, 3479——Importance of facilities for commercial information relative to the colonies being promptly communicated with and readily available, 3480–3483——Necessity of keeping up the statistical department in connection with the interests of trade, 3482. 3509-3514——Obstacles to a concentrated and comprehensive power in the Board of Trade, so that the department might take greater action in the foreign and Indian and colonial relations of the empire as regards commerce, 3483–3501.

Considerations as to the part taken by the Board, or by the India Office, in reference to supplies of cotton from India, and other questions connected with Indian produce, 3484–3492——Sufficient authority of witness's department so long as the president is a member of the Cabinet, a ministry of commerce not being essential, 3493. 3515–3518 ——Impediments to any interference by the Board in regard to colonial import or export duties, 3494–3497.

Dissent

Report, 1864—*continued.*

Gibson, The Right Hon. Thomas Milner (Member of the Committee)—continued.

Dissent from the view of Mr. Cardwell that the consultative department of the Board of Trade should be abolished altogether, 3502——Expediency of a proper depository of information available to witness, in order that his office may operate usefully in consultation with other departments, 3503–3514——Adequate facilities of the President of the Board of Trade if a Cabinet Minister, for representing the interests of the commercial classes, 3515–3518——Necessity of representations being made to the India Office, rather than to the Board of Trade, upon questions relating to the Indian tariff, 3519–3522——Difficulty of interference in matters of colonial legislation, further adverted to, 3523–3525.

Grey, Mr. Very able reports received from Mr. Grey, member of the Mission at Paris, *Mallett* 2818.

H.

Halifax Chamber of Commerce. The Halifax Chamber of Commerce considers that there should be more immediate action on the part of Government in carrying out the representations of the commercial interests, in matters of foreign trade, *Akroyd* 886.

Hammond, Edmund. (Analysis of his Evidence.)—Has been permanent Under Secretary for Foreign Affairs for about ten years; was previously a clerk in the office for thirty years, 1374, 1375——The permanent and Parliamentary Under Secretaries are on the same footing, and take the business between them according to a geographical division of the world, 1376–1379. 1385——Witness refers to a certain paper submitted in his evidence before the Diplomatic Committee, as best explaining the working of the Office and the alllotment of duties to the several clerks, 1378. 1380, 1381——In the absence of one Under Secretary, the other takes charge of the whole political department, 1379——There is constant intercommunication between the two Under Secretaries; particulars on this point, 1382–1384.

Detailed description of the system of the Office, and of the mode of dealing with despatches, as contained in a paper drawn up by witness, and before referred to, 1384——Information as to the various subjects connected with foreign trade, upon which the Foreign Office communicate with the Board of Trade, 1386–1406——Practice in regard to the reports of consuls and secretaries of legations being forwarded to the Board of Trade, 1398–1404. 1413——Explanation as to the secretaries of legations having no direct correspondence with the Foreign Office, 1404. 1411, 1412.

Unreserved communication between the Foreign Office and Board of Trade, with reference to all commercial negotiations with foreign countries, 1405, 1406——Rule of the Foreign Office to act upon the suggestions of the Board of Trade on all mere commercial questions, 1407–1410——Matters of general interest, as well as matters of trade, upon which the secretaries of legations may report to the Ministers abroad; delay at times in these reports being made, 1412. 1417–1427.

Nature of the check exercised in the Foreign Office over the consular reports, in the event of any neglect in the matter, 1414–1417——Explanation as to the secretary of legation at St. Petersburgh not having reported since 1862; valuable report in that year, 1420, 1421——Explanation also as to there not having been a report from the secretary of legation in Spain, 1422–1425——Doubt as to the expediency of publishing a report as to the operation of the Spanish tariff, unless drawn up in a very careful manner; otherwise more harm than good would result, 1429–1436——The British Government have done their utmost to induce the Spanish Government to carry more liberal views into action, 1437.

Practice of the Board of Trade in regard to communicating to the Foreign Office representations from commercial bodies; discretion exercised by the former department as to the necessity of such communication, 1438–1440. 1444, 1445——Any direct representations by commercial bodies to the Foreign Office are, as a rule, referred to the Board of Trade, 1441–1443——Communication in writing between witness and the secretary of the Board of Trade, whenever the opinion of the Board is required, 1446–1451. 1457–1464——Replies from the Board go eventually before the Foreign Secretary of State, 1452.

Consultation of the President of the Board of Trade by the Foreign Secretary, whenever he deems it necessary, 1453–1455. 1461——Examination to the effect that there is no disadvantage as regards commercial questions in the Secretary of State, not as a rule, directly consulting the permanent officials of the Board of Trade; whenever he requires more ample information, he can consult whom he pleases, 1455–1481——Impracticability of the Secretary of State attending to the details of commerce, 1478——Under the present system it may be said that the detailed opinion of the Board of Trade is really before the Foreign Office, 1479, 1480.

Absence of inconvenience or disadvantage in having to refer to another department

Report, 1864—*continued.*

Hammond, Edmund. (Analysis of his Evidence)—*continued.*

for the required information on commercial questions, 1482. 1508-1510——Strong objection to a department of commerce in the Foreign Office, for dealing with all matters relating to foreign trade; the Office is already burdened with work, and the proposed increase of functions would swamp it altogether, 1483 *et seq.*——System in France and some other foreign countries adverted to, as not desirable for adoption, 1489, 1490——Opinion of one of the Foreign Ministers as to the great efficiency of our Foreign Office under the present system, 1490.

Advantage of the arrangement whereby commercial questions with the Board of Trade are dealt with by the clerks in the Office according to the countries allotted to the several clerks, 1491——Respects in which much disadvantage would ensue if there were special clerks for communicating with the Board of Trade; special character of the slave trade department adverted to hereon, 1492-1496——Reference to the Treasury as finding it necessary at times to communicate with and consult the Board of Trade, 1497-1500.

Entire readiness of the Foreign Office to receive commercial deputations; letter from witness hereon to the Association of Chambers of Commerce, 1501-1507——Witness regrets that a deputation from the Chambers of Commerce did not see Mr. Layard and himself upon the matters referred to the present Committee, 1505——He sees no disadvantage in commercial representations being made to two offices, 1508-1510——Practice of the Secretary of State in communicating any private information to the permanent officials upon political and commercial matters respectively, 1511-1520.

Equal desire of the consuls to give every information about trade, as though their promotion rested with the Board of Trade, 1521, 1522——Strong testimony borne by the Select Committee on the Consular Service in 1858, to the efficiency of the consuls, 1522——Importance attached to the practice of the consuls reporting to the Foreign Office instead of to the Board of Trade; extensive range of duties now entrusted to them, irrespectively of trade, 1523-1530——Opinion as to the inexpediency of the direct communication of the consuls with the Board of Trade on marine affairs, 1523, 1524.

Statement as to the inaccuracy of certain evidence of Mr. Behrens in regard to a deputation from Bradford having seen witness in August 1856 upon the subject of the Belgian Treaty, and having at the time presented a memorial to him, 1531-1535——Great improbability of witness having ever said that "he had tried to pick a hole in the arguments of the Bradford Chamber, but could not do so," 1533——Mistake on the part of the Bradford Chamber in supposing that the Foreign Office expressed concurrence in the view that the favoured nation clause was given under the Belgian Treaty of 1851; letter from witness on 20th September 1856 to Mr. Wickham through the Bradford Chamber, adverted to hereon, 1536-1538.

With regard to some delay on the part of the Foreign Office in acknowledging a letter from the Bradford Chamber dated 3 November 1860, there was doubtless an omission which should not have occurred, 1539-1541——Probable reasons why certain communications from the Board of Trade to the Foreign Office in December 1860 and February 1861, relative to the Belgian tariff, were not forwarded to the Minister at Brussels, 1542-1548——Declarations on the part of Belgium adverted to in explanation of the Foreign Office not having made any commercial representations to the Belgian Government between 5th January and 20th May 1861; 1549-1561——Promise by Belgium that on the termination of her negotiations with France, England should be put under the most favoured nation clause, 1553-1561.

Considerations as to the inter-communication between M. Van de Weyer, Earl Russell, and the President of the Board of Trade in 1861, upon the subject of the Belgian tariff, and as to the probability of M. Van de Weyer having also been in communication with Mr. Layard, 1562-1577——Witness explains that Belgium is not in his division, and that he is not conversant with the details of the negotiations, 1563-1570——He declines to offer any opinion in reference to any delay laid to the charge of Earl Russell in his communications with M. Van de Weyer, 1574-1577.

Examination as to the part taken by the Foreign Office in 1862, with reference to the negotiations between France and Italy for a revision of the Italian tariff; defence of the Foreign Office from the charge that they were remiss in their communications with the Italian Government, 1578 *et seq.*——The Foreign Office eventually obtained from the Italian Government the most favoured nation clause, 1588, 1589——Opinion as to the uselessness and inexpediency of any active interference by the Foreign Office in connexion with the negotiations between France and Italy, 1589-1620.

Grounds of the Foreign Office for concluding that Italy would do nothing until they had settled the French Treaty, 1611-1623——Statement to the effect that delay was not created under the system of two departments in obtaining information from Turin, relative to the negotiations with France, 1625-1627——Reference to the date of arrival and stay in this country of Signor Marliani in 1862; understanding as to his having been in communication with the Board of Trade, 1628-1632. 1644-1651.

Explanation as to the Foreign Office having consulted the Board of Trade rather than the Treasury upon a proposition for the reduction of certain duties upon Italian produce; doubt whether the required information would have been more quickly received directly from

Hammond, Edmund. (Analysis of his Evidence)—*continued.*

from the Treasury, 1633–1643——Witness cannot say why Signor Marliani was not put in communication with the Chambers of Commerce, 1652——Examination as to a draft treaty with Italy, suggested by the Board of Trade, not having been forwarded to Mr. West or Sir James Hudson at Turin; this draft was not forgotten, but there was some reason for not sending it on, 1653–1676. 1690.

Explanatory statement as to the action of the Foreign Office in reference to representations in 1862 on the part of the jute trade relative to the Italian tariff, 1677–1686——Doubt whether the memorial of the Dundee Chamber of Commerce in July 1862 was forwarded to Turin, 1677–1679——Conclusion as to the slight result which would have attended any strong representations about jute goods, 1680–1686.

Obstacles to the Foreign Office obtaining information as to the detailed negotiations between France and Italy, 1686–1689——Instructions from the Board of Trade under which Mr. Mallet went to Italy, 1691, 1692——Satisfaction given to several Chambers of Commerce by the grant of the most favoured nation clause by Italy; memorials and letters from numerous chambers adverted to hereon, 1692–1694. 1701–1707——Belief that on the whole the country is well satisfied with the treaty, 1692, 1693. 1707.

With regard to a certain Bill and decree on the part of the Spanish Government, they were doubtless communicated by the Foreign Office to the Board of Trade, 1695–1697——Any memorial from the Bradford Chamber of Commerce to the Foreign Office relative to the Swedish tariff would have been forwarded to the Board of Trade, 1698, 1699——Inaccuracy of the inference sought to be drawn by Mr. Allhusen of Newcastle to the prejudice of the Foreign Office in reference to the negotiations with Berlin in November 1861; 1700——Speculative character of the evidence generally upon which the conduct of witness's department has been impugned, *ib.*

[Second Examination.] Explanation that witness saw Mr. Wickham and another gentleman from Bradford in September 1856 upon the subject of the Belgian Treaty, but that he did not see them when the memorial from the Bradford Chamber was presented, and believes he never said that he could not pick a hole in the arguments of the memorial, 1708 *et seq.*——Particulars as to the communications which really did take place between Mr. Wickham and the Foreign Office, and between the Foreign Office and the Minister at Brussels, upon the subject of the Bradford memorial; witness reads the correspondence which passed on the matter, 1711 *et seq.*

[Third Examination.] Date at which the Bradford memorial, relative to the Swedish Treaty, was received by the Foreign Office, and was forwarded to the Board of Trade, 1743——Information relative to various measures, brought before the Spanish Cortes, having been communicated by the Minister at Madrid to the Foreign Office, and by the latter to the Board of Trade; absence of delay on the part of the Foreign Office, 1744–1746——Further explanations on the subject of the Italian tariff, and the several steps taken in reference thereto in Italy since 1859; 1747–1749.

Witness further explains the general practice of the Foreign Office in communicating information to the Board of Trade, or in referring to the Board for information, 1750–1752——Similar communication with the Admiralty, the law officers, &c., as with the Board of Trade, 1753–1757——Evidence in further support of witness's objections to a commercial department in the Foreign Office which should supersede all reference to the Board of Trade in matters of foreign commerce, 1756 *et seq.*

There is no greater reason for amalgamating with the Foreign Office a portion of the Board of Trade, than a portion of the Admiralty or of any other department, 1756, 1757——Great prejudice to the organization of the Foreign Office if there were a commercial department imported into it; difficulty in regard to the division of clerical labour, official hours, promotion, &c., 1759, 1760.

Extent and operation of the slave trade department; opinion that it would be better if it did not exist as a separate department in the office, 1765–1767——Reference to the treaty department as not being of an entirely distinct character, the business being connected with that of the office generally, 1767, 1768——Necessity in any case of consultation with the Board of Trade, even if there were a commercial department, 1769, 1770. 1776–1778——Obstacle to a commercial department of the Foreign Office being represented in Parliament, or being properly superintended by either of the present Under Secretaries, 1769–1775——Increased correspondence and delay if there were such a department in the Foreign Office, 1776–1778.

Details explanatory of the course pursued respectively by the Foreign Office and by the Board of Trade in the diplomatic negotiations, and in the tariff revision in the matter of the French Commercial Treaty; harmonious action between the two departments, 1779–1789——Course adopted for discussing and settling the tariff in connection with the treaty with Turkey, 1790, 1791——Explanation that in all cases of reductions or revision of tariffs the Foreign Office would refer to the Board of Trade for information and assistance, 1792–1795.

With regard to a statement by Mr. Forster, that England was behind-hand as compared

Report, 1864—*continued.*

Hammond, Edmund. (Analysis of his Evidence)—*continued.*

pared with France in communicating with the Russian Government, and in obtaining reductions in the Russian tariff, witness cites a despatch from Lord Napier denying the accuracy of this statement, 1796, 1797——Desire evinced by our diplomatic and consular agents to attend to matters of trade, 1798, 1799——Very valuable commercial information is obtained from our agents abroad, 1800.

Statement showing the forward part taken by the Foreign Office, in communication with the Manchester Chamber of Commerce and the Cotton Supply Association, with a view to increased supplies of cotton from sources other than the United States, 1801–1808——Means suggested by the Foreign Office in January 1861 for obtaining increased supplies through the agency of the consuls, or through agents specially appointed; advantage if this proposal had been adopted, 1802. 1804.

Reference to two circulars and statistical papers sent in different years to our diplomatic agents abroad, to be laid before foreign governments, as showing the advantage of a free trade policy, 1809-1811——The Foreign Office have recently applied to the Board of Trade for another statement for foreign circulation as to the expediency of free trade, 1812——Several circulars issued to heads of missions with reference to periodical reports by secretaries of embassy and legation, 1813, 1814.

Necessity of attachés in the diplomatic service undergoing an examination in political economy, 1815——Absence of delay on the part of the Foreign Office in publishing the consuls' reports, 1816, 1817——Explanation as to the necessity of a certain delay in answering a communication from the Bradford Chamber of Commerce to the Foreign Office in 1859; previous delay on the part of the Bradford Chamber, 1818–1820.

Reference to and quotation of the opinions of senior clerks in the Foreign Office upon a paper circulated by the Bradford Chamber of Commerce in favour of a commercial department in the Foreign Office; adverse conclusions arrived at by these gentlemen relative to this proposition, whilst they defend the present system, 1821–1825.

Statement explanatory of the steps taken by the Foreign Office in communicating with foreign governments upon the subject of a reduction of duties upon rags; every effort has, in fact, been made, 1826–1829——Inaccuracy of the statements in a memorial from the Manchester Chamber of Commerce on the subject of the duties on foreign rags, 1828, 1829.

Exceptional circumstances under which the Foreign Office sometimes act upon commercial questions without consulting the Board of Trade, 1830, 1831——Further reference to the communication of the Foreign Office with the Admiralty and law officers as well as with the Board of Trade, 1832–1839——Further conclusion as to the necessity of consultation with the Board of Trade, even if there were a commercial department in the Foreign Office, 1841. 1845–1848——Working of the Slave Trade Department further adverted to in connection with the question of a commercial department, 1842–1845.

Conclusion that the remedy of any supposed grievance of the commercial community would be dearly purchased by injuring the efficient working of the Foreign Office 1848–1852——Witness is not wedded to routine, and would readily promote any changes in Office that tended to the public advantage and convenience, 1852–1854——Doubt as to any appreciable increase of labour through the Foreign Office having to communicate by writing with a department not under the same roof; disapproval of verbal communications, 1854–1859.

Examination as to witness's grounds for objecting to the Board of Trade communicating directly abroad upon matters of detail connected with trade, 1860 *et seq.*——Reasons for handing over to the Board of Trade the details in connection with the French Treaty, further adverted to; exceptional circumstances which caused this departure from the usual course, 1861–1863. 1898-1912. 1936–1940——Reasons for objecting to any direct communication between Mr. Mallet, on the part of the Board of Trade, and the French Government upon any questions of detail still arising out of the treaty, 1864–1873.

Witness further contends that it is very undesirable that the Board of Trade, or the President of the Board, should, as well as the Foreign Secretary, communicate directly with the foreign ministers; inexpediency thereof, as the latter would thereby be under two masters, 1870 *et sec.*——With regard to the complaints of delay under the present system, there is practically no delay of any moment, 1884-1886. 1943-1945. 1951——Grounds for objecting to the Board of Trade communicating with the consuls abroad; inconvenience apprehended, whilst there would be no material saving of time, 1917 *et seq.*

[Third Examination.] Witness has drawn up, and reads to the Committee a memorandum explanatory of the action respectively of the Foreign Office and Board of Trade with regard to the negotiation of the reciprocity treaty with the United States in 1852–54; 3297——Witness has also prepared and submits a memorandum, showing in detail the relative action of the Foreign Office and Board of Trade, and the steps taken by Lord Cowley and Mr. Cobden, in the negotiation of the French Treaty of Commerce, 3298.

Letter

Report, 1864—*continued.*

Hammond, Edmund. (Analysis of his Evidence)—*continued.*

Letter from Mr. Cobden, in July 1863, disapproving of the Foreign Office being set in motion by commercial bodies to urge reductions of tariffs upon foreign governments, 3299——Reference to the official steps taken in connection with a memorial from Huddersfield, as showing how delay sometimes rests with foreign governments, 3300, 3301——Steps taken by the Foreign Office with reference to some sewing machines adverted to, as illustrative of the prompt action of the department, 3302——Strong objection to a suggestion by Mr. Mallet, that some questions with foreign governments might be disposed of by private correspondence, 3303.

Statement showing that in Paris Lord Cowley does not, and cannot, communicate directly with the Minister of Commerce, but only with the French Foreign Office, 3304, 3305. 3347——Resemblance between the Commercial Department in the French Foreign Office and the Consular and Treaty Departments in the English Foreign Office; more extensive functions of the former department, 3306. 3353-3355——Constant communication between the French Foreign Office or its Commercial Department and the Ministry of Commerce, 3307. 3346.

Witness maintains that his department is well competent to deal with questions of commercial policy, and that it exercises an efficient supervision in this respect, though it leaves the details of tariffs to the Board of Trade, as the more competent body in such matters, 3308-3310. 3356-3360——Conclusion that the same purpose is served under the present system of communication with the agents abroad, as though the Board of Trade were to communicate directly with them, 3311, 3312. 3361——Witness also contends that any slight saving of time by the consuls communicating on commercial subjects directly with the Board of Trade is not commensurate with the inconvenience that would result from the consuls corresponding with two departments, 3313-3327. 3370-3376. 3382, 3383.

Further statement as to the prompt action of the Foreign Office with reference to all important communications from or with the Board of Trade, 3316——Business would be retarded rather than expedited by the consuls communicating abroad under flying seal, through the Foreign Office, 3319. 3361——Circumstance of some of the consuls now dividing their despatches under the heads of "political" and "commercial"; objection to this system being extended to all the consuls, 3320-3323——Objections to consuls' despatches, docketed "commercial," being sent on to the Board of Trade without their being seen by the Secretary of State, 3324, 3325. 3370-3376. 3380-3383.

Steps now taken by the Under Secretaries in order that no time may be lost in forwarding commercial information to the Board of Trade, 3325-3327. 3371——Explanation as to the objection raised by the Foreign Office, in correspondence with the Board of Trade, to the publication by that department of information received from the foreign agents, unless it came through the Foreign Office, 3328——Statement in explanation of a delay imputed to the Foreign Office in regard to the publication of a report from Zanzibar, 3329-3333.

Explanation upon the subject of the omission on the part of a large number of the consuls to make reports, 3334——Full reports received from the consuls in cotton-growing countries, 3335, 3336——Inaccuracy of a statement, that the consul at Paris had been done away with; reason for a consul being maintained there, though the office is not considered necessary, 3337-3340——Rule followed by the Foreign Office as to the time of publishing the consular and diplomatic reports, 3341——Warm testimony recently borne by Baron Brunnow to the good organization of the Foreign Office, 3342.

Remarks upon a statement by the Chambers of Commerce that the defects of the present system render necessary public representations by the commercial community which operate injuriously, 3343-3345——Further statement that in France the Ministry of Commerce does not correspond with the diplomatic or consular agents, 3348-3355——Particulars as to the constitution and business of the Commercial Department in the French Foreign Office, 3350. 3353-3355——Paper submitted to the Committee, showing the relations between the Foreign Office and Ministry of Commerce in France and other foreign countries, 3350-3352.

Several important matters relative to tariffs, independently of the actual details, over which matters the Foreign Office is careful to exercise supervision, 3356-3360——Practice of the Foreign Office in forwarding to the ministers abroad copies of the letters received from the Board of Trade, or in sending instead despatches from the Secretary of State embodying such letters, 3362-3365——Probability of there being occasionally a delay of a few days before the Foreign Office forward communications to the Board of Trade; that is, in cases not urgent, 3366-3369——As a general rule, there is no delay in forwarding papers to the departments which they concern, 3369.

Inexpediency of any arrangement whereby the Secretary of State, or the Office generally, should not have cognizance of commercial matters, as reported by the foreign agents, 3370-3383——Tendency to a prevention of despatch if there were one department in the Office which should exclusively deal with questions of commerce, and attend to the forwarding of papers to the Board of Trade; this is now the duty of the senior clerk in each division, 3376-3379.

Report, 1864—*continued.*

Hanover. Communications from the British Minister at Hanover, together with a memorandum furnished by Count Platen, explanatory of the relative action of the Ministry of Foreign Affairs and the Ministry of Commerce, *App.* 280, 281.

Hanse Towns. Statement by Mr. Ward, Minister at Hamburgh, in explanation of the system of the Hanse Towns in dealing with commercial measures, *App.* 282.

Holland. In 1853, the Bradford Chamber of Commerce made representations to Government on the subject of the differential duties in Holland; and in 1854, these duties were removed, *Behrens* 431–433.

Home Department. Suggestion whether some of the duties now devolving upon the Home Department might not be entrusted to the Board of Trade, *Right Hon. E. Cardwell,* 3427.

Huddersfield Chamber of Commerce. Statement by the Huddersfield Chamber of Commerce, in April 1864, on the subject of the Italian tariff, and the treaty with France, *Hammond* 1702——Reference to the official steps taken in connection with a memorial from Huddersfield, as showing how delay sometimes rests with foreign Governments, *ib.* 3300, 3301.

I.

Import Duties. Statement showing the effect of a diminution in the import duties on certain articles upon the amount of revenue received on those articles, *App.* 265.

India Office. Doubt as to the Secretary of State for India being in the habit of consulting the Board of Trade, *Booth* 2159–2161——Explanation as to the Board of Trade not being consulted by the India Office, *Sir J. E. Tennent* 2341, 2342——Constant complaints made against the tariffs of India, *ib.* 2343.

Absence of any consultation with the Board upon questions affecting the immense trade between India and Great Britain, *Mallet* 2578, 2579. 2713–2721. 2735——Indian laws or treaties are not submitted in any way to the Board of Trade, *ib.* 2715–2717——Alterations in the Indian tariff are never submitted to the Board, *ib.* 2718——Representation exclusively by the India Office of the commercial interests of England with India, *ib.* 2735–2737——Probable advantage in the India Office and Colonial Office consulting the Board, if efficiently constituted, *ib.* 2912–2916.

The Board sometimes supplies the Indian Department with information, but is not consulted by the latter, *Right Hon. T. M. Gibson,* 3443. 3477——Considerations as to the part taken by the Board, or by the India Office, in reference to supplies of cotton from India, and other questions connected with Indian produce, *ib.* 3484–3492——Necessity of representations being made to the India Office, rather than to the Board of Trade, upon questions relating to the Indian tariff, *ib.* 3519–3522.

ITALY:

1. *Complaints by the Commercial Community as to the Action of Government in the matter of the Franco-Italian Treaty, and in the subsequent Negotiations with Italy.*
2. *Explanatory Statements on the part of the Foreign Office and Board of Trade.*
3. *Statements and counter-statements as to the Communication with Signor Marliani, when in London.*
4. *Correspondence in detail relative to the Treaty between Great Britain and Italy.*
5. *System in Italy of dealing with Commercial Questions and Negotiations.*

1. *Complaints by the Commercial Community as to the Action of Government in the matter of the Franco-Italian Treaty, and in the subsequent Negotiations with Italy:*

Statement as to the Bradford Chamber not having been able to obtain the required information from the Foreign Office on the subject of the Franco-Italian Treaty, *Behrens* 510–512——Grounds for concluding that Mr. Mallet was sent to Italy at too late a period to be of any service, *ib.* 513–519. 695–698——Great cause for complaint in the Manchester trade, but not in the Bradford trade, in regard to the existing tariff, *ib.* 530–535——In witness's trade, the Franco-Italian Treaty has not made matters any worse, *ib.* 668–670.

Consideration of witness's reasons for condemning the course pursued in reference to the Franco-Italian Treaty; he knows nothing of the private negotiations between the English and Italian Governments on the subject, *Behrens* 665–711. 853–863——Statement that no demand was insisted upon in regard to the Bradford or Lancashire trade in the case of the Italian Treaty, *ib.* 705–709. 853–857——Reference to the negotiations

ITALY—continued.

1. *Complaints by the Commercial Community, &c.*—continued.

tiations between the English and Italian Governments as having resulted in much offence being given to the latter, *Behrens* 844–846.

Nature of the representation which might have been made to Italy, with a view to reduction in their tariff, in the case of cotton goods, &c., *Ashworth* 1102–1106. 1112–1114.

Inability of witness to ascertain what are the precise duties upon Scotch yarns and jute goods going to Italy; reference hereon to a statement by the Board of Trade that the duties would be the same as under the Franco-Belgian Treaty, *Sturrock* 1145–1152——Conclusion as to the unfavourable position of the jute manufacture, as compared with the linen manufacture as regards trade with Italy, *ib.* 1153–1167——Details relative to communications between the Board of Trade and the Dundee Chamber, before and after the Franco-Italian Treaty, *ib.* 1168–1191.

Grounds for the conclusion that if proper representations have been made by Government relative to the revision of the Italian tariff, jute would not have been put into a worse position than linen, *Sturrock* 1171–1211——Circumstance of witness having received no definite information about the Franco-Italian treaty until the treaty had been concluded, *ib.* 1173–1181. 1189–1191——Representation made, without any successful result, on the conclusion of the Franco-Italian treaty, *ib.* 1182–1188. 1196–1200.

Similar footing of French and English jute goods as regards admission into Italy, the complaint against the Italian tariff being that jute goods are charged as linen, and that no distinct and lower duty was imposed, *Sturrock* 1255–1261. 1306–1319——Doubt as to the representations really made by Government on the subject of the Italian tariff and the jute trade, *ib.* 1267–1270.

2. *Explanatory Statements on the part of the Foreign Office and Board of Trade:*

Examination as to the part taken by the Foreign Office, in 1862, with reference to the negotiations between France and Italy for a revision of the Italian tariff; defence of the Foreign Office from the charge that they were remiss in their communications with the Italian Government, *Hammond* 1578 *et seq.*——The Foreign Office eventually obtained from the Italian Government the most favoured nation clause, *ib.* 1588, 1589.

Opinion as to the uselessness and inexpediency of any active interference by the Foreign Office in connection with the negotiations between France and Italy, *Hammond* 1589–1620——Grounds of the Foreign Office for concluding that Italy would do nothing until they had settled the French treaty, *ib.* 1611–1623——Statement to the effect that delay was not created, under the system of two departments, in obtaining information from Turin relative to the negotiations with France, *ib.* 1625–1627.

Examination as to a draft treaty with Italy, suggested by the Board of Trade, not having been forwarded to Mr. West or Sir James Hudson at Turin; this draft was not forgotten, but there was some reason for not sending it on, *Hammond* 1653–1676. 1890——Explanatory statement as to the part taken by the Foreign Office in reference to representations in 1862, on the part of the jute trade, relative to the Italian tariff, *ib.* 1677–1686—— Conclusion as to the slight result which would have attended any strong representations about jute goods, *ib.* 1680–1686.

Obstacles to the Foreign Office obtaining information as to the detailed negotiations between France and Italy, *Hammond* 1686–1689——Instructions from the Board of Trade under which Mr. Mallet went to Italy, *ib.* 1691, 1692——Satisfaction given to several chambers of commerce by the grant of the most favoured nation clause by Italy; memorials and letters by various chambers adverted to hereon, *ib.* 1692–1694. 1701–1707——Belief that on the whole the country is well satisfied with the treaty, *ib.* 1692, 1693. 1707——Communication from the Bradford Chamber of Commerce, in March 1864, expressing satisfaction with the Franco-Italian treaty as regards woven fabrics of wool or of wool mixed with other materials, *ib.* 1702.

Further explanations on the subject of the Italian tariff, and the several steps taken in reference thereto in Italy since 1859, *Hammond* 1747–1749.

Impression as to there having been no communication with the Board of Trade on the subject of the treaty projected with Italy in 1862, *Sir J. E. Tennent* 2324–2329——Want of information at the Board of Trade, in 1862 and 1863, as to the basis upon which the Italian Government were prepared to negotiate; advantage if the Board had been in direct communication with our minister at Turin, *Mallet* 2498–2511.

Mission of witness to Turin, in May 1863, adverted to with reference to the question of his having been sent by the Foreign Office or the Board of Trade, *Mallet* 2501–2509——Witness soon ascertained at Turin that Italy would concede nothing more to Great Britain than the most favoured nation clause, *ib.* 2510–2512. 2525, 2526——Greater probability of a more favourable result if witness had been sent to Turin pending the negotiation of the Franco-Italian treaty and the revision of the Italian tariff, *ib.* 2512–2534.

Reports, 1864—*continued.*

ITALY—continued.

2. *Explanatory Statements on the part of the Foreign Office, &c.*—continued.

Representation made by witness to the Italian Government, on the part of the British jute manufacture; considerations hereon as to their refusal to make any concession in the matter, *Mallet* 2513–2534——Witness cannot say that if he had been sent earlier to Turin he could have done any good, or could have obtained concessions from the Italian Government, *ib.* 2840–2850. 2865——It never reached witness that the Italian Government felt they had been badly treated by Great Britain, *ib.* 2842–2844.

Explanation relative to an apparent omission or delay on the part of the Foreign Office, in 1862–63, with respect to the draft treaty in the case of Italy, *Earl Russell* 3067. 3099–3102——Impression that Italy refused to entertain any negotiation with this country until the Franco-Italian treaty was concluded, *ib.* 3072——Doubt as to the cause of the non-representation of the British jute interest at Turin when the negotiations with France were going on, *ib.*——Opinion that better results could not have been produced, *ib.* 3090. 3116.

3. *Statements and Counter-statements as to the Communication with Signor Marliani when in London:*

Statement upon the question of the Italian treaty, and the circumstance of witness having been unable to obtain from the Board of Trade any information about the movements of Signor Marliani, *Ripley* 92–96. 210–219——Advantage if the Bradford Chamber had been placed in communication with the Italian envoy when in England, *Behrens* 520–522.

Reference to the date of arrival and stay in this country of Signor Marliani in 1862; understanding as to his having been in communication with the Board of Trade, *Hammond* 1628–1632. 1644–1651——Witness cannot say why Signor Marliani was not put in communication with the chambers of commerce, *ib.* 1652.

Understanding as to there having been frequent personal interviews between Mr. Milner Gibson, Earl Russell, and Signor Marliani, with reference to the Italian treaty, *Sir J. E. Tennent* 2407. 2410——Explanation in regard to witness not having seen Signor Marliani when in London; delay through the Board having to communicate with the Treasury a certain proposition forwarded from the Foreign Office, *Mallet* 2555–2561.

Statement showing that when Signor Marliani was in this country certain reductions in the wine and sugar duties were demanded as the condition of concessions on the part of Italy, which reductions could not be assented to, *Earl Russell* 3067–3069——Verbal communication of the representatives of the Board of Trade and Foreign Office with Signor Marliani; his refusal to negotiate until the French Treaty was concluded, *ib.* 3096–3105.

4. *Correspondence in detail relative to the Treaty between Great Britain and Italy:*

Copies of correspondence between the Board of Trade and Foreign Office, respecting the negotiation of a commercial treaty between Great Britain and Italy, *App.* 334–355.

5. *System in Italy of dealing with Commercial Questions and Negotiations:*

Letters from Mr. Elliot to Earl Russell in April and May 1864, together with memorandums explanatory of the system of the Italian Government in dealing with commercial matters, and in carrying out commercial negotiations with foreign countries, *App.* 284–286.

J.

Japan. Circumstance of the Board of Trade not having been consulted by the Foreign Office about the first treaty with Japan, *Sir J. E. Tennent* 2320.

Jute Trade. Immense increase, since 1838, in the import of Italian jute to Dundee, and in the jute manufacture, *Sturrock* 1135–1140——Amount of the former duty in France upon Scotch yarns and linens, *ib.* 1141 —— High price of jute goods in Dundee, through the cotton scarcity, so that articles of French manufacture are largely imported, *ib.* 1142, 1143 ——Belgium is in the same position as France as regards the Scotch jute manufacture, *ib.* 1144.

Inability of witness to ascertain what are the precise duties upon Scotch yarns and jute goods going to Italy; reference hereon to a statement by the Board of Trade, that the duties would be the same as under the Franco-Belgian treaty, *Sturrock* 1145–1152—— Conclusion as to the unfavourable position of the jute manufacture as compared with the linen manufacture, as regards trade with Italy, *ib.* 1153–1167——Grounds for the conclusion, that if proper representations had been made by Government relative to the revision of the Italian tariff, jute would not have been put in a worse position than linen, *ib.* 1171–1211.

Jute Trade—continued.

Representations made by the Dundee Chamber of Commerce to Government on the subject of the jute trade with the Zollverein; subsequent communication from the Foreign Office, *Sturrock* 1212-1215——Statement as to witness having communicated with both the Foreign Office and the Board of Trade respecting the admission of jute manufacturers into Russia, and as to the similar effect of the replies from each department whilst in each case the first reply was contradicted by the second, *ib.* 1216-1232. 1271-1287——Very satisfactory manner in which the Foreign Office carried out the representations with Russia in the matter of the jute trade, *ib.* 1241. 1271.

Further statement as to the French treaty having resulted in Dundee importing jute goods from France, instead of exporting them to France; explanation on this point, *Sturrock* 1245-1247. 1262, 1263. 1322——Character of the French jute trade; it is not nearly so large as the Scotch trade, *ib.* 1252-1254. 1305.

Similar footing of French and English jute goods as regards admission into Italy, the complaint against the Italian tariff being that jute goods are charged as linen, and that no distinct and lower duty was enforced, *Sturrock* 1255-1261. 1306-1319——Great spread of the Scotch jute manufacture further adverted to, *ib.* 1264-1266. 1320, 1321——Doubt as to the representations really made by Government on the subject of the Italian tariff and the jute trade, *ib.* 1267-1270.

Explanatory statement as to the part taken by the Foreign Office in reference to representations in 1862, on the part of the jute trade, relative to the Italian tariffs, *Hammond* 1677-1686——Doubt whether the memorial of the Dundee Chamber of Commerce, in July 1862, was forwarded to Turin, *ib.* 1677-1679——Conclusion as to the slight result which would have attended any strong representations about jute goods, *ib.* 1680-1686.

Representation made by witness to the Italian Government on the part of the British jute manufacture; considerations hereon as to their refusal to make any concession in the matter, *Mallet* 2513-2534.

Doubt as to the cause of the non-representation of the British jute interest at Turin when the negotiations with France were going on, *Earl Russell* 3072.

Memorial of the Directors of the Dundee Chamber of Commerce, dated 12 May 1862, with reference to the treaty between France and the Zollverein, and the expediency of steps being taken in the interests of the jute trade in Dundee, &c., *App.* 262-264.

L.

Leeds Chamber of Commerce. Memorial from the Leeds Chamber of Commerce on the subject of the Italian and Prussian tariffs, *Hammond* 1702.

Legal Advice (*Public Departments*). Communication of the Foreign Office with the law officers of the Crown as well as with the Board of Trade, *Hammond* 1753-1757. 1837-1839——Great advantage of the legal advisers attached to the Board of Trade; necessity of legal knowledge being equally available in the case of a commercial department in the Foreign Office, *Mallet* 2602-2607——There is no reason why the great departments should not have commercial advisers as well as legal advisers, *ib.* 2918-2920.

Lighthouses (*Board of Trade*). Explanation relative to the operation of the Lighthouses Branch in the Marine Department of the Board of Trade, *Mallet* 2776-2781.

Lindsay, William Schaw (*Member of the House*). (Analysis of his Evidence).—Is largely interested as a shipowner, and has taken several steps with a view to the removal of foreign restrictions upon British shipping, 3241-3243——Different questions upon which shipowners consult the Foreign Office and Board of Trade respectively 3244-3246——Delay through the Board of Trade having to communicate with the Foreign Office in connection with any negotiations for the removal of differential dues on shipping, the Foreign Office not possessing the required knowledge in such matters, 3247-3249.

Difficulty apprehended with respect to any direct communication between the Board of Trade and foreign agents, or if carried on under flying seal through the Foreign Office, 3350-3254——Approval of the formation of a commercial department in the Foreign Office, by the transfer of permanent officials from the Board of Trade, or by an extension of the existing consular department, 3254, 3255. 3294——Advantage in negotiations about shipping &c., being entirely in the hands of the Foreign Office, 3258-3261.

Statement as to the expediency of our ambassadors and diplomatists abroad having had a training in matters of commerce and navigation, so that they might be more competent to deal with foreign governments on such questions, 3259-3264. 3267-3269. 3273. 3282-3293——Great facility with which witness has obtained information from the Foreign Office, 3262. 3271——Peculiarly excellent character of the business arrangements of the Office; opinion that it is the best arranged of all the public departments, 3262. 3270-3272——Particulars relative to the unofficial negotiations of witness with

Report, 1864—*continued.*

Lindsay, William Schaw (*Member of the House.*) (Analysis of his Evidence)—*continued.*

France and other countries on the subject of differential dues upon shipping; he received every facility and support from the Foreign Office, 3265, 3266. 3274-3281.

Admission by Lord Cowley and Lord Lyons that they did not understand the details of the question of dues upon shipping; disadvantage in their obtaining information second hand from the consuls, 3267-3269——Lord Cowley offered witness every facility in his communications with the French Government, 3273——Limited character of the special education desirable in diplomatic servants upon the subject of differential dues, 3287, 3288——Expediency of our foreign agents being more largely employed in impressing the principles of free trade upon foreign nations, 3288-3293.

Linen Trade (*Scotland*). During the negotiations preceding the French Commercial Treaty witness was one of those deputed to inspect the Scotch linen trade, *Sturrock* 1133, 1134.——*See* also *Dundee. Jute Trade.*

London Gazette. Practice as to the publication of commercial information in the "London Gazette"; defects of this mode of publicity, *Mallet* 2467-2470——Improvement as regards commercial information, if the "Gazette" were published daily, and if the price were only one penny, *ib.* 2789. 2803——Character of the "Gazette" as the vehicle of publication further adverted to with reference to the French "Moniteur" and "Annales du Commerce," *ib.* 2803-2810.

See also *Publication of Commercial Information.*

M.

Mallet, Louis. (Analysis of his Evidence.)—Has since 1847 filled various positions in the Board of Trade; is now assistant for commercial business, 2436-2441——Was appointed to assist Mr. Cobden with reference to the French commercial treaty, and has since been sent on missions to Paris, Berlin, and Turin, 2442, 2443——The Foreign Office business in witness's division passes through witness and Mr. Emerson Tennent; particulars as to the practice in dealing with this business, 2444-2448.

Larger share taken formerly by the Board of Trade in commercial negotiations than has been the practice in recent years, 2446-2451——Increase of the executive business of the Board, whilst the consultative action has been diminished, 2452, 2453——Delay in the publication of important information from abroad, on account of such information being supplied to the Board of Trade through the Foreign Office, 2454-2472——Practice as to the Board sometimes publishing information not obtained from the Office, 2457-2460. 2463-2465.

Earlier information frequently obtained by the Board from the French "Moniteur" than from the Foreign Office, 2459, 2460——Illustration of the important character of the information in the "Annals du Commerce," 2460-2462——Reliable character of the information generally received from the Foreign Office, 2466——Practice as to publication in the "London Gazette;" defects of this mode of publicity, 2467-2470——More prompt and complete information if the ministers and consuls abroad were in direct communication with the Board of Trade, 2471, 2472——Frequency of the Board not being provided with sufficient information to enable them to advise the Foreign Office, 2473-2476.

Very valuable information received by the Board from private merchants and commercial bodies at home, 2477——Ample facilities of the Board for being informed as to the interests and wants of the commercial classes, 2478——Good ground for the complaint that the permanent officers of the Board are frequently unable to supply merchants with sufficient information as to what is passing in foreign countries, 2479 *et seq.*

Very rare occasions of information obtained privately by the Foreign Office being communicated to the Board of Trade, 2482, 2483——Advantage if the Board had more free and systematic communication with the foreign ministers in London, 2484-2496——Communication between M. Van de Weyer and witness in 1851 with reference to the Belgian treaty, but not in 1861 or 1862; 2489-2496——Want of information at the Board of Trade in 1862 and 1863 as to the basis upon which the Italian Government were prepared to negotiate; advantage if the Board had been in direct communication with our minister at Turin, 2498-2511.

Mission of witness to Turin in May 1863 adverted to with reference to the question of his having been sent by the Foreign Office or the Board of Trade, 2501-2509——Witness soon ascertained at Turin that Italy would concede nothing more to Great Britain than the most favoured nation clause, 2510-2512. 2525, 2526——Greater probability of a more favourable result if witness had been sent to Turin pending the negotiation of the Franco-Italian treaty and the revision of the Italian tariff, 2512-2534——Representation made by witness to the Italian Government on the part of the British jute manufacture; considerations hereon as to their refusal to make any concession in the matter, 2513-2534.

Practical

Report, 1864—*continued.*

Mallet, Louis. (Analysis of his Evidence)—*continued.*

Practical completion of the negotiations between Prussia and France at the time of witness's visit to Berlin, 2535–2537——Intimation to witness by the Prussian Government that they could not entertain the suggestion of tariff reductions in a treaty with this country, 2538, 2539——Other cases, in addition to that of the Italian treaty, in which the Board of Trade were not supplied with sufficient information to advise the Foreign Office, 2540, 2541.

Statement as to the Board of Trade not having been consulted with reference to the reciprocity treaty between the United States and Canada, although it was pre-eminently a case in which they ought to have been consulted, 2542–2549——Nor was the Board consulted until after the completion of the French treaty, 2550——Greater probability of a reduction of the Spanish and Portuguese tariffs if there had been earlier communication on the part of our Government, 2551–2554——Explanation in regard to witness not having seen Signor Marliani when in London; delay through the Board having to communicate with the Treasury a certain proposition forwarded from the Foreign Office, 2555–2561.

Statement explanatory of the very limited communication which now takes place between the Treasury and Board of Trade, 2562–2566. 2575–2577——Information relative to the international conference at Paris in 1863, with reference to the sugar duties, and the attendance of witness and Mr. Ogilvie of the Customs, whilst the Foreign Office was not represented; disadvantage of this omission, 2566–2574——Rare instances of any result following the opinions of the Board of Trade in regard to the colonial Acts submitted for the consideration of the Board, 2577.

Belief that the Indian Office has not in any case consulted the Board, 2578, 2579——Very limited consultation of the Board by the former Board of Control, 2580——Increasing impression of late years as to the Board becoming less and less a consultative body; expression of this view by Mr. Cardwell, 2581, 2582——Reference to the Report of the Commission of 1853, as contemplating the progressive diminution of the importance of the Board, 2582——General results arrived at by the Commission of 1863, as regards the executive and consultative functions of the department, 2583–2587.

Condemnation of the present relations between the Foreign Office and Board of Trade, not only because of the irregular and tardy manner in which information is received by the Board, but because of the want of some clear responsibility in the President, 2588–2590——Importance attached to the proposition for a commercial department in the Foreign Office, 2591, 2592——Particulars as to the practice in France, Prussia, and Italy in regard to a foreign commercial department, both for the Foreign Office and Ministry of Commerce, 2593–2597——In the United States the Secretary of the Treasury transacts such consultative business as devolves upon the Board of Trade in this country, 2598.

Expediency of a commercial department in the Foreign Office being so constituted that it should have equal weight and authority to that now possessed by the Board of Trade; question hereon as to the appointment of a political Under Secretary of such department, 2599–2601. 2627——Great advantage of the legal advisers attached to the Board of Trade; necessity of legal knowledge being equally available in the case of a commercial department in the Foreign Office, 2602–2607.

Anticipated efficiency of system if the Board of Trade could communicate directly abroad, and if it were placed on an equality with the other great departments, so that greater force might be given to its recommendations, 2608–2611. 2616–2628——Impracticability of efficiency under the present indirect system, 2609–2611——Inexpediency of maintaining the Board of Trade as a consultative department with reference to the use made of it by the Treasury and Colonial Office, 2609, 2628–2634.

Advantage of an officer in the Foreign Office specially charged with the duty of attending to the Board of Trade correspondence, and who should also communicate freely with the officials of the Board, 2612–2615—— Great improvement if the Board of Trade were placed in the same position to the Foreign Office that the Customs department holds to the Treasury, 2621–2625——Conclusion that the remedy mainly required is that some one department shall be in a position to do the work satisfactorily on its own direct responsibility, 2628–2635. 2638–2641.

Advantage in commercial complaints as to the operation of any duty or tax being laid directly before the Treasury rather than the Board of Trade, 2636, 2637——Expediency of the Board being furnished with the fullest information, if retained as a consultative department, 2638–2641——Witness is aware of Mr. Hammond's objections to a commercial department in the Foreign Office, 2642, 2643——Further statement as to the importance of the Board of Trade communicating directly with our foreign representatives; witness sees no practical inconvenience in their doing so, 2644. 2657 *et seq.* ——Advantage in the case of the French treaty of the details having been left to the Board of Trade, 2644–2647.

Report, 1864—*continued.*

Mallet, Louis. (Analysis of his Evidence)—*continued.*

Probability of great advantage having been derived if the Board of Trade had it in its power to appoint an agent to act, or if witness when in Paris had authority to act, with the representatives of France at the time of the negotiations with Italy, Belgium, &c., 2648-2656——Great importance of the Board of Trade having direct communication abroad on the score of the propagation of the principles of free trade; disadvantage in this respect in having to communicate through the Foreign Office, 2662-2678.

Particulars as to the circuitous course pursued in dealing with individual representations to the Board of Trade, upon matters arising out of the French treaty; more prompt settlement of such questions if the Board could communicate directly with Lord Cowley, 2679-2707——Investigation of the question as to the actual delay attributable to the system of communication with Lord Cowley through the Foreign Office; witness makes no charge against the Foreign Office in the matter, 2691-2709.

[Second Examination.]—Statement as to the opinion of the Board of Trade having been overruled by the Colonial Office in 1859, upon the question of a commercial union between all the Provinces of British North America, 2710-2712. 2790-2792——Absence of any consultation with the Board upon questions affecting the immense trade between India and Great Britain, 2713-2721. 2735——Great omission and delay in regard to the publication of a valuable report made by the consul at Zanzibar in 1860; 2722-2731——Small number of consular reports received in proportion to the number of persons in the consular service, 2730-2732.

Preparation and publication by the Foreign Office of the consuls' reports; formerly they were prepared for publication by the Board of Trade, 2733, 2734——Considerable interest taken by the commercial public in these reports, 2734——Many of them are of a very valuable character, *ib.*——Representation exclusively by the India Office of the commercial interests of England with India, 2735-2737——Either there should be one consultative office for the Government departments, or each department should be a self-contained office, consulting officers of its own, 2736.

Necessity of communication between witness and the British Minister at Berlin, if witness had been placed in co-operation with the representatives of France when negotiating the treaty with Prussia, 2738-2742——Great zeal displayed by our representatives at Paris, Turin and Berlin, in co-operating with witness; importance attached by them to commercial matters, 2743, 2744——Objection to the political and commercial points which arise on the negotiation of foreign treaties being dealt with by different offices, 2745.

Further expression of the opinion that the Board of Trade might communicate with the consuls without any practical difficulty arising, 2746——Probability of greater zeal in the discharge of commercial duties if the foreign agents communicated directly with the Board of Trade upon commercial matters, 2747, 2748. 2816——Effect of political considerations in retarding progress in the negotiation of treaties of commerce, 2749-2752——It would be but a subordinate advantage to have some one in the Foreign Office whose special duty it should be to see that the correspondence with the Board of Trade was conducted with promptitude and despatch, 2753.

Expediency of increased weight being given to the Board of Trade if retained as a consultative department, this being the weak point in the present Board, 2754, 2755——Mode of operation of the commercial department in the French Foreign Office, 2756——Objection to commercial questions which are apparently trifling being dealt with by the Foreign Office in communication with the ministers abroad without reference to the Board of Trade, 2757-2760——Sense in which it may be said that there is still a pending negotiation for a commercial treaty between Great Britain and Prussia, 2761.

Doubt as to there being any negotiations going on for a treaty of commerce with Austria; question hereon whether a new tariff, published in Austria last year, with reference to the Zollverein, should not have been more promptly communicated to the Board of Trade, 2762-2775——Reference to the operation of the Lighthouse branch in the Marine department of the Board of Trade, 2776-2781——Necessity, on many occasions, of a commercial department in the Foreign Office consulting other departments, 2782——Witness repeats that each executive department should be self-contained, and should consult another executive office only upon questions falling within the executive work of such office, *ib.*

Ample duties for a minister of commerce to perform, irrespectively of consultative duties, 2783, 2784——Instance of the French minister of commerce communicating with a French agent abroad, 2785, 2786. 2969——Necessity in any case of treaties of commerce being fully examined by the Foreign Office, 2787——Check contemplated on the part of the Foreign Office, on political considerations, over communications from another department with a foreign country, 2787*, 2788——Improvement as regards commercial information if the "Gazette" were published daily, and if the price were only one penny, 2789. 2803.

Witness

Report, 1864—*continued.*

Mallet, Louis. (Analysis of his Evidence)—*continued.*

Witness cannot say whether the Austrian government were prepared to enter into a treaty with this country, or whether the British Government have been in communication with Austria upon the subject, 2793–2798——Further reference to the circumstance of the Board of Trade having formerly been more frequently placed in personal communication with foreign ministers when negotiating treaties in London, 2799——Witness does not impute delay to the Foreign Office in connection with the reports by foreign agents, 2800–2802.

Character of the "Gazette," as the vehicle of publication, further adverted to, with reference to the French "Moniteur" and "Annales du Commerce," 2803–2810——Duty of the Board of Trade, rather than of the Foreign Office, to set on foot a publication like the "Annales du Commerce," 2806, 2807. 2811, 2812——Particular instances of important decrees which have appeared in the "Moniteur," having been gazetted by the Board of Trade from that journal before receiving them from the Foreign Office, 2813. 2820, 2821——Occasional representation to the Foreign Office on the subject of the omission or delay in sending these decrees to the Board of Trade, such omission resting most probably with our foreign agents, 2814–2819.

Competency of our foreign agents to deal with commercial questions further adverted to, with reference to the expediency of their reporting to the Board of Trade, 2816–2819——Circumstance of the Foreign Office having expressed disapproval of the publication by the Board of any information not received from them, or from official sources, 2820. 2822, 2823——Expediency of all information for publication coming through one authentic channel, 2824, 2825——Importance of our agents abroad having a proper knowledge of the bearing of legislation upon trade, 2826——Omission in attachés not undergoing an examination in political economy, *ib.*

With regard to the statement by witness, as well as by Sir Emerson Tennent, that the Board of Trade was not consulted relative to the Reciprocity Treaty with the United States, witness is referred to certain correspondence between the Foreign Office and Board of Trade in 1852–54, showing that the latter department was consulted, 2827–2839——Witness cannot say that if he had been sent earlier to Turin he could have done any good, or could have obtained concessions from the Italian government, 2840–2850. 2865——It never reached witness that the Italian government felt they had been badly treated by Great Britain, 2842–2844.

Doubt as to foreign countries, when negotiating between themselves alterations of their tariffs, being always willing to acquaint us with their proceedings, 2851–2857——Inaccuracy of a statement by Mr. Ridley as to the operations of the Foreign Office and Board of Trade, under the present system, being attended with a barrenness of results——Doubt as to France having concluded any more treaties than Great Britain in recent years, 2862–2864——Distinct promise given by the Prussian government to make a similar treaty with us as with France, as soon as the latter treaty comes into operation, 2866–2872——Belief that any earlier application to Prussia and Austria would not have led to their giving us the most favoured nation clause at any earlier period, 2873–2875.

Witness does not represent it as any grievance that the Foreign Secretary withholds private information from the permanent officials at the Board of Trade, 2876–2881——Examination upon the suggestion that there should be greater facilities of communication between witness's department and the foreign ministers in London, 2882–2897——Circumstance of Lord Cowley being in constant and direct intercourse with the Minister of Commerce at Paris, 2885. 2969——Frequent communication between Mr. Milner Gibson and M. Van de Weyer, relative to the Belgian treaty; important details dealt with in this case, 2892–2897——With regard to reductions not having been obtained in the Spanish and Portuguese tariffs, witness makes no charge against the Foreign Office in the matter, 2898–2907.

Further argument that the same department should deal with the principles and details of a negotiation, and with the political and commercial bearing of the question, 2908——Opinion that the most perfect system would be to make the Foreign Office a self-contained office, like the India Office; objections to this view considered, 2908–2931——Contemplated consultation of the Board of Trade upon questions belonging to the executive functions still attached to that department, 2908. 2921–2923.

If the additional functions proposed to be thrown upon the Foreign Office are more than it can efficiently discharge, the best alternative is to render the Board of Trade really efficient as a consultative department, and to give greater weight and responsibility to the head of the department, 2908–2911. 2932, 2933——Disadvantage in continuing the present ill-defined and limited consultative functions of the Board of Trade, 2909——Entire departure from the original idea of the Board of Trade as a consultative office, *ib.*——Probable advantage in the India Office and Colonial Office consulting the Board, if efficiently constituted, 2912–2916.

Consideration of the question as to the responsibility respectively of the Secretary of State and of an Under Secretary in charge of the proposed commercial branch; doubt

Report, 1864—*continued.*

Mallet, Louis. (Analysis of his Evidence)—*continued.*

as to any serious difficulty on this score, 2924–2931. 2957–2964——Advantage of a Parliamentary Under Secretary at the head of the department 2925. 2959–2964——Limited personal communication between the officials in the Foreign Office and Board of Trade further adverted to; improvement if there were more personal intercourse, 2934–2941——Further reference to the circumstance of its having been stated to witness, when in Paris, that the French Government would have associated a British agent with their own representatives in their negotiations with Belgium, &c., 2942–2944.

Witness has always found the greatest possible willingness in the Foreign Office and its agents to act on behalf of the commercial interests of the country; he finds fault with the system, not with the men, 2945, 2946. 2973, 2974——Delay in the publication of the Zanzibar Report further adverted to, 2947——Witness is not aware of the reason of the transfer from the Board of Trade of the publication of the consuls' reports, 2948–2950——Inconvenience in the Foreign Office having to consult the Board of Trade upon all tariff questions, 2951, 2952——Circumstance of the Foreign Office finding it necessary largely to consult the Colonial Office, 2953–2956——Impression as to there being still a British consul at Paris, 2965.

Obstacle to the Board of Trade making representations to the Foreign Office in disapproval of their mutual relations, 2966–2968——Great development of the foreign trade of this country; the larger the trade the more likely is it that Government intervention will be required with reference to any obstructions by foreign nations, 2970–2972——Though there may be some remissness on the part of the Foreign Office in the interests of British trade abroad, there certainly is not any intentional remissness, 2973, 2974.

[Third Examination.]—Further evidence on the subject of the action of the Board of Trade in the matter of the Reciprocity Treaty with the United States, with reference more especially to the ultimate settlement of the treaty upon a basis very different from that recommended by the Board, 3173–3205——Reference to the correspondence in this matter between the Foreign Office and Board of Trade, as showing the part taken by the former department, and the several suggestions made by the Board, 3173–3194——Witness was in error in a former statement, that the Board had not been communicated with or consulted on this treaty, 3191–3195.

Illustration in the case of the American treaty of the inconvenience and delay under the present system of two departments, 3194. 3199——Witness is not aware of the actual circumstances under which Lord Elgin signed the treaty, or whether there was opportunity previously to consult the Board of Trade upon the treaty, 3196, 3197. 3200–3202——Witness does not blame the Foreign Office in the matter of this treaty, nor does he consider the Office responsible that the arrangement first projected was not carried out; there should, however, have been some communication to the Board of the grounds upon which the negotiation was resumed, 3196–3205.

Malmesbury, The Right Hon. the Earl of, G.C.B. (Analysis of his Evidence.)—Has held the office of Foreign Secretary at two different periods, 3206——Considers that the delay complained of under the present relations between the Foreign Office and Board of Trade would not be obviated by the establishment of a commercial department in the former Office, 3207–3209. 3212, 3237——Suggests that much delay may be avoided in the transmission of despatches to the Board of Trade, if the foreign agents docketed their despatches as "Political," or "Commercial," and if the latter were, in the first instance, sent on at once from the Foreign Office, 3209–3211.

Advantage in the Board of Trade taking the initiative upon the "commercial" despatches, and in these being submitted subsequently to the Foreign Secretary, together with the views of the former department upon them, 3209. 3211. 3228——Non-objection to the Board of Trade communicating with the consuls and ministers under flying seal, through the Foreign Office, upon purely commercial matters, 3210, 3211. 3218–3225. 3239, 3240——Approval of more importance being attached to the Board of Trade as a public department; advantage of the President being always a member of the Cabinet, 3213–3215——Probable improvement if there were a special clerk in the Foreign Office for superintending the communications with the Board of Trade, 3216. 3237, 3238.

Witness contemplates that the Foreign Office should still be responsible for the carrying out of treaties, but that all the technical part, so far as trade is concerned, should be managed by the Board of Trade, 3218–3223. 3239——With regard to the mode of dealing with the foreign despatches when witness was Foreign Secretary, and the delay which ensued, it is explained to him (by Mr. Layard), that the system now in force is very prompt and rapid, 3226–3229——Dissent from the views of Mr. Hammond on the subject of the Slave Trade Department; its value as a means of teaching international law, 3230–3236.

Manchester.

Report, 1864—*continued.*

Manchester. Great cause for complaint in the Manchester trade in regard to the existing Italian tariff, *Behrens* 530–535.

Large extension of district, and enormous interest in cotton manufacture represented by the Manchester Chamber of Commerce, *Ashworth* 905–908——Statement of the number and character of the communications received by the Manchester Chamber from the Foreign Office over a period of eight years; total of eighteen communications, only three of which related to foreign tariffs, *ib.* 912–915——Doubt as to the chamber having been informed by the Foreign Office, or Board of Trade, of the mission of an Italian envoy to England, with reference to treaty arrangements in 1863, *ib.* 916–919.

Total of only sixteen communications received from the Board of Trade in eight years, exclusive of printed documents; nature of these communications, *Ashworth* 920–922——The Manchester Chamber of Commerce had no communications with the Foreign Office on the subject of the French treaty, *ib.* 922——Statement as to the Manchester Chamber having been referred from the Board of Trade to the Foreign Office, and back again, with regard to some papers relating to the Philippine Islands, *ib.* 923–925.

Conclusion of the Manchester Chamber as to the Board of Trade being the proper and responsible department for the supervision and conducting of matters relative to foreign trade, *Ashworth* 926, 927. 938–944——Circumstances under which the Manchester Chamber waited upon Lord Palmerston early in 1864, with a memorial relative to the inadequate attention paid to the demands of commerce, *ib.* 932–934——In former interviews with the two departments, the representatives of the chamber had remarked upon the inefficiency of the arrangements between the two offices, *ib.* 933. 935, 936.

Very little use of the commercial information afforded to Manchester by Government, either in direct communications or through the "London Gazette," *Ashworth* 978. 1063–1076. 1098–1101——Uselessness to Manchester of the favoured nation clause in the case of Italy and the French treaty, *ib.* 979. 982–986. 1087. 1116–1123——Very little use of the consular reports to Manchester; statement hereon as to witness not reading these reports, and as to the Manchester Chamber not taking in the "London Gazette" which contains them, *ib.* 980, 981. 1025–1027. 1059–1076. 1124–1126.

Statement showing the forward part taken by the Foreign Office in communication with the Manchester Chamber of Commerce, and the Cotton Supply Association, with a view to increased supplies of cotton from sources other than the United States, *Hammond* 1801–1808——Inaccuracy of the statements in a memorial from the Manchester Chamber of Commerce, on the subject of duties on foreign rags, *ib.* 1828, 1829.

Memorial of the Board of Directors of the Manchester Chamber of Commerce, dated 22 February 1864, with reference to the inefficiency of the present system of communicating with foreign governments, *App.* 260, 261.

Marliani, Signor. See *Italy*, 3.

Mercantile Marine Department (*Board of Trade*). Way in which any information required in the negotiation of treaties from the Mercantile Marine Department is now obtained; increased facility if there were a commercial department in the Foreign Office, *Booth* 2057–2069.——*See* also *Board of Trade*, 8.

Minister of Commerce. Proposition that a Minister of Commerce be attached to the Foreign Office, who should conduct commercial negotiations with foreign countries, and should have the appointment and surveillance of consuls abroad, *Akroyd* 887–892——All political matters should rest with the Foreign Office, independently of the office of the Minister of Commerce, both offices being in the same building, *ib.* 888–892.

See also *Board of Trade.*

"*Moniteur,*" *The* (*France*). Earlier information frequently obtained by the Board from the French "Moniteur" than from the Foreign Office, *Mallet* 2459, 2460——Particular instances of important decrees which appeared in the "Moniteur" having been gazetted by the Board of Trade from that journal before receiving them from the Foreign Office, *ib.* 2813. 2820. 2821.

Morier, Robert B. D. (Analysis of his Evidence.)—Has been in the diplomatic service since September 1853; is now second Secretary at Berlin, and was previously at Vienna, 3131–3135——The attachés have been converted into second and third Secretaries, 3136, 3137——The Foreign Office has shown every desire to obtain information from witness upon matters of trade, 3138–3142——Statement as to witness having been sent by the Foreign Office to Vienna and Munich in December 1862, and as to his having reported fully upon the negotiations between France and the Zollverein, and between Austria and Prussia, 3140–3143——Mission of Mr. Ward to Berlin in the summer of 1861, whilst the negotiations were pending between Prussia, on the part of the Zollverein and France, 3144, 3145.

Distinct refusal by the Prussian Government to negotiate with Great Britain, whilst the negotiations were pending with France, 3146——Improbability of any better result if Mr. Mallet had been sent earlier to Berlin, Mr. Ward having been there, and having moreover been placed in communication with the chambers of commerce in this country, 3147–3149. 3157–3162——Distinct refusal by Austria, as well as by Prussia, to enter into

Report, 1864—*continued.*

Morier, Robert B. D. (Analysis of his Evidence)—*continued.*

negotiations with this country until relations with the Zollverein were settled, 3150, 3151 —— Promise by Prussia to give Great Britain the same advantages as France, as soon as certain German States had signed the Zollverein treaty with France, 3152, 3153.

Desire on the part of the diplomatic servants to devote attention to matters of trade, 3154——Entire inaccuracy of any impression that the Foreign Office discourages the study of commercial subjects by the diplomatic body, 3155, 3156——Advantage in the abstract of the principle of direct communication, 3163——Benefit experienced by witness in communicating privately with Mr. Mallet on commercial matters, as well as with Mr. Layard; inference as to the advantage of more direct communication between the Board of Trade and the foreign agents generally, 3163–3172.

Most Favoured Nation Clause (*Foreign Treaties*). Right of Government to ask other nations for the most favoured nation clause, but not to ask for any reduction of the tariffs; illustration in the case of Prussia, *Behrens* 755–790. 829–831.——*See* also *Austria. Belgium. Italy. Prussia.*

N.

Netherlands. Communication from Mr. Ward, dated The Hague, 18 and 23 April 1864, relative to the concert between the Ministry of Foreign Affairs and Ministry of Commerce in negotiating treaties of commerce, *App.* 281, 282.

Newcastle-upon-Tyne. Witness, as representing the Newcastle Chamber of Commerce, submits a summary of the evidence which he is prepared to lay before the Committee, *Allhusen* 881, 882.

Inaccuracy of the inference sought to be drawn by Mr. Allhusen, of Newcastle, to the prejudice of the Foreign Office, in reference to the negotiations with Berlin in November 1861, *Hammond* 1700——Communication from the Newcastle Chamber of Commerce in March 1864 with reference to the Franco-Italian treaty, *ib.* 1702.

Memorial of the Newcastle-upon-Tyne and Gateshead Chamber of Commerce, dated 13 February 1863, containing suggestions for facilitating the early reductions of foreign tariffs, *App.* 257–259.

P.

Palmerston, Lord. Circumstances under which the Manchester Chamber waited upon Lord Palmerston early in 1864, with a memorial relative to the inadequate attention paid to the demands of commerce, *Ashworth* 932–934——Exceptions taken to Lord Palmerston's defence of the present system, as well as to his statement that we could not look for a reduction of foreign tariffs, as we had now nothing to give in return, *ib.* 936, 937. 1018–1021. 1096.

Paper Trade. The paper trade is peculiarly interested in the fiscal regulations of foreign countries, *Evans* 1326——Very unfair competition to which the paper trade is subjected on account of the heavy export duties of foreign rags and the free admission of French paper into this country, *ib.* 1326–1329. 1336, 1337. 1365–1367——Absence of official communication with the paper trade pending the negotiations for the French treaty, *ib.* 1328——Frequent representations made in different quarters relative to the export duties upon foreign rags, but without effect, *ib.* 1330–1332. 1346–1349.

Reference to a statement by Mr. Gladstone that France would make some concession as to the duty on rags, and that in Italy the duty would be abolished; question as to the information on which the statement is made, *Evans* 1333, 1334. 1338. 1350. 1351. 1369–1372——Want of information displayed by Earl Russell on the subject of the paper trade and the rag duty, *ib.* 1335. 1360–1364. 1373——Very close supervision required of foreign tariffs in the interests of the paper trade, *ib.* 1336——Increase in the export duty on rags in part of Italy, *ib.* 1338–1341.

Absence of official intimation to the paper trade when the Italian tariff was being revised, and when an envoy was sent to this country, *Evans* 1342–1345. 1352–1354—— Representations made on several occasions to the Foreign Office as well as to the Board of Trade, *ib.* 1346–1349——Belief that France would have given us free trade in rags if insisted upon as a condition of our giving them free trade in paper, *ib.* 1355–1359. 1368.

Statement explanatory of the steps taken by the Foreign Office in communicating with foreign governments upon the subject of a reduction of duties upon rags; every effort has in fact been made, *Hammond* 1826–1829——Inaccuracy of the statements in a memorial from the Manchester Chamber of Commerce on the subject of the duties on foreign rags, *ib.* 1828, 1829.

Memorandum relating to the duty placed upon the export of rags by foreign countries, and the expediency of a removal or reduction of the duty, *App.* 273, 274.

Letter from Sir Emerson Tennent to Mr. Layard, dated 11th January 1864, upon the question of urging upon the Prussian and other governments the expediency of adopting a more liberal policy as regards the exportation of rags and other materials for paper-making, *App.* 274.

Report, 1864—*continued.*

Paris (*English Consulship*). Inexpediency of the abolition of the English consulship at Paris; extent to which useful, *Behrens* 573-576. 791-796——Impression as to there being still a British consul at Paris, *Mallet* 2965——Inaccuracy of a statement that the consul at Paris had been done away with; reason for a consul being maintained there, though the office is not considered necessary, *Hammond* 3337-3340.

Permanent Officials. Inexpediency of any undue power or control being given to permanent officials, *Mallet* 2958.

See also *Board of Trade. Foreign Office. Personal Communication.*

Personal Communication. Limited personal communication between the officials in the Foreign Office and Board of Trade; improvement if there were more personal intercourse, *Mallet* 2934-2941——Approval of personal communication occasionally between the Foreign Secretary and the officials at the Board of Trade; witness often had such communication, *Earl of Clarendon* 2984. 2986——Witness does not have individual communication with the permanent officials of the Board of Trade, *Earl Russell* 3065. 3086-3088——Action frequently taken by the Foreign Office by means of personal communication at times when, judging from the correspondence, there was omission or delay on their part, *ib.* 3107, 3108——Frequency of verbal communication between witness and the Foreign Secretary, *Right Hon. T. M. Gibson* 3451.

Political Questions (*Treaties of Commerce*). The commercial question and political question are so involved, that the same department should equally represent both, *Behrens* 593-597. 635-637——All political matters should rest with the Foreign Office, independently of the office of the proposed Minister of Commerce; both offices being in the same building, *Akroyd* 888-892——Effect of political considerations in causing delays in negotiation, *Sir J. E. Tennent* 2323; *Mallet* 2749-2752; *Earl of Clarendon* 3044.

Statement as to political considerations not being always communicated to the Board of Trade; doubt as to any disadvantage on this score, *Sir J. E. Tennent* 2304-2310. 2323——Objection to the political and commercial points which arise in the negotiation of foreign treaties being dealt with by different offices, *Mallet* 2745——Effect of political considerations in retarding progress in the negotiation of treaties of commerce, *ib.* 2749-2752——Check contemplated on the part of the Foreign Office, on political considerations, over communications from another department with a foreign country, *ib.* 2787,* 2788.

Further argument that the same department should deal with the principles and details of a negotiation, and with the political and commercial bearing of the question, *Mallet* 2908——The political bearing of each negotiation should be dealt with by the same minister who deals with the commercial question, *ib.*——Close connection in foreign countries between political and commercial business, *Earl Russell* 3073.

Portugal. Greater probability of a reduction of the Portuguese tariff if there had been earlier communication on the part of our Government, *Mallet* 2551-2554——Witness, however, makes no charge against the Foreign Office in the matter, *ib.* 2898-2907.

Repeated representations made to Portugal relative to promised reductions in their wine duties, but without effect, *Earl Russell* 3117.

Communications from Sir A. Magenis to Earl Russell, dated 18 and 20 April 1864, explanatory of the action between the Portuguese Foreign Office and Ministry of Commerce on commercial matters, *App.* 286, 287.

President of Board of Trade. See *Board of Trade*, 3.

Private Correspondence (*Foreign Office*). Instance in which the Foreign Office might advantageously correspond privately with the English Minister in Paris, *Mallet* 2683.

Strong objection to the suggestion by Mr. Mallet that some questions with foreign Governments might be disposed of by private correspondence, *Hammond* 3303.

Private Information (*Foreign Office*). Practice of the Secretary of State for Foreign Affairs in communicating any private information to the permanent officials upon political and commercial matters respectively, *Hammond* 1511-1520.

Very rare occasions of information obtained privately by the Foreign Office being communicated to the Board of Trade, *Mallet* 2482, 2483——Witness does not represent it as any grievance that the Foreign Secretary withholds private information from the permanent officials of the Board of Trade, *ib.* 2876-2881.

Prussia. Examination to the effect that though the most favoured nation clause could not now be obtained from Prussia and Austria, it might have been obtained if there had been proper action taken on former occasions, and efforts should now be made to obtain it prospectively, *Behrens* 738-745. 755-790.

Practical completion of the negotiations between Prussia and France at the time of witness's visit to Berlin, *Mallet* 2535-2537——Intimation to witness by the Prussian Government that they could not entertain the suggestion of tariff reductions in a treaty with this country, *ib.* 2538, 2539——Necessity of communication between witness and the British Minister at Berlin, if witness had been placed in co-operation with the representatives of France when negotiating the treaty with Prussia, *ib.* 2738-2742——Sense

Report, 1864—*continued*.

Prussia—continued.

in which it may be said that there is still a pending negotiation for a commercial treaty between Great Britain and Prussia, *Mallet* 2761.

Distinct promise given by the Prussian Government to make a similar treaty with us as with France, as soon as the latter treaty comes into operation, *Mallet* 2866-2872——Belief that any earlier application to Prussia and Austria would not have led to their giving us the most favoured clause at any earlier period, *ib.* 2873-2875.

Absence of any better result if Mr. Mallet had been sent earlier to Prussia, *Earl Russell* 3113-3115——Endeavour made to obtain information from Prussia at the time of her negotiations with France, *ib.* 3124, 3125——The Prussian Government always declined to give any information, *ib.* 3124.

Mission of Mr. Ward to Berlin in the summer of 1861, whilst the negotiations were pending between Prussia on the part of the Zollverein and France, *Morier* 3144, 3145——Distinct refusal by the Prussian Government to negotiate with Great Britain whilst the negotiations were pending with France, *ib.* 3146——Improbability of any better result if Mr. Mallet had been sent earlier to Berlin, Mr. Ward having been there, and having moreover been placed in communication with the Chambers of Commerce in this country, *ib.* 3147-3149. 3157-3162——Promise by Prussia to give Great Britain the same advantages as France, as soon as certain German States had signed the Zollverein Treaty with France, *ib.* 3152, 3153.

Communications from Sir A. Buchanan, dated Berlin, 17 and 19 April 1864, with reference to the relations between the Minister of Foreign Affairs and the Minister of Commerce, *App.* 278.

Publication of Commercial Information. Undue delay in the publication of the consular reports, so that their value is not much, *Behrens* 659-661——Expediency of Government collecting commercial information and disseminating it to the Chambers of Commerce as promptly and efficiently as possible; defects of the system of publication in the "Gazette" adverted to hereon, *ib.* 806-825.

Absence of delay on the part of the Foreign Office in publishing the consuls' reports, *Hammond* 1816, 1817——Doubt as to the expediency of publishing annually a full report of our foreign commercial relations and of all negotiations for new treaties; considerable expense of such publications, *Booth* 2033-2035——Check to be exercised by the Board of Trade before publishing the reports of the consuls, if the latter communicated directly with them, *ib.* 2154-2158.

Delay in the publication of important information from abroad, on account of such information being supplied to the Board of Trade through the Foreign Office, *Mallet* 2454-2472——Practice as to the Board of Trade sometimes publishing information not obtained from the Foreign Office, *ib.* 2457-2460. 2463-2465——Practice as to the publication in the "London Gazette;" defects of this mode of publicity, *ib.* 2467-2470——Preparation and publication by the Foreign Office of the consuls' reports; formerly they were prepared for publication by the Board of Trade, *ib.* 2733, 2734.

Character of the "Gazette" as the vehicle of publication further adverted to with reference to the French "Moniteur" and "Annales du Commerce," *Mallet* 2803-2810——Duty of the Board of Trade rather than of the Foreign Office to set on foot a publication like the "Annales du Commerce," *ib.* 2806, 2807. 2811, 2812——Circumstance of the Foreign Office having expressed disapproval of the publication by the Board of any information not received from them, or from official sources, *ib.* 2820. 2822, 2823——Expediency of all information for publication coming through one authentic channel, *ib.* 2824, 2825——Witness is not aware of the reason of the transfer from the Board of Trade of the publication of the consuls' reports, *ib.* 2948-2950.

Explanation as to the objection raised by the Foreign Office, in correspondence with the Board of Trade, to the publication by that department of information received from the foreign agents, unless it came through the Foreign Office, *Hammond* 3328——Rule followed by the Foreign Office as to the time of publishing the consular and diplomatic reports, *ib.* 3341.

Reference to the practice of the Foreign Office forwarding to the Board of Trade matters for publication, such as alterations in foreign tariffs, *Rep.* iv——Dissatisfaction on the part of the commercial community with respect to the system of publication as involving delay, *ib.*

See also *Zanzibar* (*Consul's Report*).

R.

Rags. See *Paper Trade.*

Reciprocity Treaty (*Canada and United States*). Statement as to the Board of Trade not having been consulted with reference to the Reciprocity Treaty between the United States and Canada, although it was pre-eminently a case in which they ought to have been consulted, *Sir J. E. Tennent* 2212-2319; *Mallet* 2542-2549.

With

Reciprocity Treaty, &c.—continued.

With regard to the statement by witness, as well as by Sir Emerson Tennent, that the Board of Trade was not consulted relative to the Reciprocity Treaty with the United States, witness is referred to certain correspondence between the Foreign Office and Board of Trade in 1852–54, showing that the latter department was consulted, *Mallet* 2827–2839.

Further evidence on the subject of the action of the Board of Trade in the matter of the Reciprocity Treaty with the United States, with reference more especially to the ultimate settlement of the treaty upon a basis very different from that recommended by the Board, *Mallet* 3173–3205——Reference to the correspondence in this matter between the Foreign Office and Board of Trade as showing the part taken by the former department and the several suggestions made by the Board, *ib.* 3173–3194.

Witness further admits that he was in error in a former statement that the Board have not been communicated with, or consulted upon, the Reciprocity Treaty, *Mallet* 3191–3195——Illustration in the case of this treaty of the inconvenience and delay under the present system of two departments, *ib.* 3194. 3199——Witness is not aware of the actual circumstances under which Lord Elgin signed the treaty, or whether there was opportunity previously to consult the Board of Trade upon the treaty, *ib.* 3196, 3197. 3200–3202.

Witness does not blame the Foreign Office in the matter of this treaty, nor does he consider the office responsible that the arrangement first projected was not carried out; there should, however, have been some communication to the Board of the grounds upon which the negotiation was resumed, *Mallet* 3196–3205.

Witness has drawn up and reads to the Committee a memorandum explanatory of the action respectively of the Foreign Office and Board of Trade with regard to the negotiation of the Reciprocity Treaty with the United States in 1852–54, *Hammond* 3297.

Responsibility. Examination in support of the conclusion that there should be one department solely responsible in the matter of foreign trade and commercial negotiations, and that the double action and divided responsibility under the present system should at once be abolished, *Ripley* 108–129. 231–237. 392–422——The commercial question and political question are so involved that the same department should equally represent both, *Behrens* 593–597. 635–637——Difficulty as to which department is to be blamed for the unsatisfactory results produced, *Ashworth* 931——Expediency of such a change of the present system that one department may be entirely responsible, *ib.* 1022–1024——Whether it be the Foreign Office or the Board of Trade, there should be but one department for the commercial community to deal with, and for the carrying out of negotiations, *Sturrock* 1299–1304.

Convenience in one department undertaking a general supervision of trade, *Booth* 2006–2008——Responsibility of the Secretary of State considered in connection with the functions to be exercised with the proposed officials in charge of a commercial department in the Foreign Office, *ib.* 2094–2109. 2163 *et seq.*——Further reference to the responsibility of the Secretary of State in acting upon information obtained from a commercial department in the Foreign Office and from the Board of Trade, *ib.* 2163–2168. 2179–2186. 2195–2200——Degree of responsibility in Parliament or in respect of correspondence abroad which might attach to a commercial under-secretary at the Foreign Office, *ib.* 2225, 2226. 2233–2237.

Commercial representations about foreign trade should be made to the Foreign Office as being the responsible department, the Board of Trade being applied to by the Foreign Office for all information required before taking action, *Sir J. E. Tennent* 2283. 2338–2340. 2379–2380.

Condemnation of the present relations between the Foreign Office and Board of Trade, not only because of the irregular and tardy manner in which information is received by the Board, but because of the want of some clear responsibility in the president, *Mallet* 2588–2590——Conclusion that the remedy mainly required is that some one department shall be in a position to do the work satisfactorily on its own direct responsibility, *ib.* 2628–2635. 2638–2641——Consideration of the question as to the responsibility respectively of the Secretary of State and of an under-secretary in charge of the proposed commercial branch; doubt as to any serious difficulty on this score, *ib.* 2924–2931. 2957–2964.

Propriety of the Foreign Secretary rather than the President of the Board of Trade replying to the questions in Parliament upon matters of foreign trade, *Right Hon. T. M. Gibson* 3449——Responsibility of the Foreign Office rather than of the Board of Trade in regard to action with foreign countries in matters of trade; opinion that both departments should be, and are, jointly and severally responsible, *ib.* 3450——Views of Mr. Spring Rice, one of the senior clerks in the Foreign Office, in defence of the present action of the Foreign Office and of the Board of Trade in matters of foreign trade, *Hammond* 1825.

Report, 1864—*continued.*

Ripley, Henry William. (Analysis of his Evidence.)—Dyer and merchant at Bradford; has for many years been intimately acquainted with the home and foreign trade of the district of the worsted manufacture, 1–6——Has been President of the Bradford Chamber of Commerce since 1858, and has taken an active part in communications with the Foreign Office on the subject of trade and treaties with foreign countries, 4 *et seq.*

Frequent presentation of memorials from the Bradford Chamber of Commerce previously to the Franco-Belgian Treaty of 1861, upon the subject of trade with Belgium, and the preference given by Belgium to French goods over English goods, 8–29—— Preference to French goods over English goods under the Belgian duties previously to 1861; great increase of this preference by the treaty of that year, 11–20——Duty of the British Government to have taken steps for removing the preference complained of by the British merchants, 20, 21.

Communication from the Bradford Chamber of Commerce to Lord John Russell, as Foreign Secretary, dated 3 November 1860, relative to the expediency of the British trade with Belgium being placed upon a footing of equality with that of other nations, 22, 23——Statement as to no answer having been received from the Foreign Office to the foregoing letter, nor to a subsequent letter on the 18th December, 24–26——Further letter from the Chamber of Commerce, dated 4 January 1861, relative to the undue privileges in Belgium to French goods as compared with English goods, 27–29—— Acknowledgment by the Foreign Office on 3 January 1861 of the receipt of the letters of November and December 1860; 30, 31.

Circumstance of the letter of 3 November 1860 not having been forwarded by the Foreign Office to the foreign minister at Brussels until 3 January 1861; loss of very valuable time thereby, 32. 35–37—— Grounds for concluding that neither the Board of Trade nor the Foreign Office had really looked into the question up to the end of 1860; 33–35——Letter from the Foreign Office to the Bradford Chamber of Commerce, dated 11 January 1861, conveying an assurance that there was no intention on the part of the Belgian Government to make any distinction between the import duties upon French and British woollens; satisfaction felt with this letter, 38–40.

Reference to the passing of the Franco-Belgian treaty, and the representation consequently made by the Bradford Chamber to the Foreign Office; reply to this representation on 22d May 1861; 40–49——Subsequent communications from the Chamber of Commerce to the Board of Trade, representing the expediency of steps being taken for the due protection of British merchants in the treaty or negotiations then pending with Belgium, 50–53——Conclusion as to its having been owing to the omission or neglect of the Foreign Office that Belgium did not concede the same privileges to this country as to France, 54–59.

United action of various other Chambers of Commerce, and of the Bradford Chamber in June and July 1861, when it was suggested that Mr. Cobden should be asked to go to Brussels on the subject of the new tariff, 60–66——Statement as to its having been suggested, in July 1861, that Mr. Cobden and Mr. Mallet should be sent to Berlin on the subject of the treaty then contemplated between France and the Zollverein; circumstance of Mr. Ward having been sent instead, 63–68. 75–81—— Meeting of the Associated Chambers of Commerce in February 1862, when it was again urged upon Lord J. Russell, at the Foreign Office, to send to Brussels and Berlin some one really conversant with commercial details; Mr. Mallet, of the Board of Trade, was shortly afterwards sent to Berlin, 67–69. 87, 88.

Active measures taken by the Chambers of Commerce in May 1862, relative to the Belgian treaty; shortly after this movement the treaty was signed, 70–74——Request made by witness, in letter to Lord John Russell on 10 August 1861, that Mr. Ward should be put in communication with the Chambers of Commerce with reference to the tariff with the Zollverein; subsequent memorial on the subject on 7th September, the previous letter not having been replied to, 82–84—— Letter from the Foreign Office, dated 20 September 1861, stating that Mr. Ward had been directed to communicate with the Chambers of Commerce; he did not, however, make any communications to the Bradford Chamber, 85, 86——Belief that if Mr. Mallet had been sent to Berlin in July 1861, instead of in February 1862, the Zollverein tariffs would have placed England upon the same footing as France, 89–91.

Statement as to the Bradford Chamber of Commerce having, in July 1862, requested, through the Foreign Office, to be put in communication with Signor Marliani on the question of the Italian treaty which he had been deputed to negotiate; departure of Signor Marliani without any such inter-communication having taken place, 92–96—— Correspondence between the Bradford Chamber of Commerce and the Board upon the subject of the appointment of a French consul or vice-consul at Bradford; better chance of such appointment if the Board of Trade had acted promptly in the matter, 97–101.

Practice of the Bradford Chamber of Commerce to send duplicate memorials to the Board of Trade, on account of the unsatisfactory results of their communications with the Foreign Office, 102–107——Courtesy and attention shown to witness whenever at the

Report, 1864—*continued.*

Ripley, Henry William. (Analysis of his Evidence)—*continued.*

the Foreign Office; he has always felt, however, that there was an immense amount of ignorance in the office as to commercial questions generally, 104, 105. 107——Strong disapproval of the practice whereby the commercial community are constrained to communicate with the two departments, and are kept in uncertainty as to whether representations will be attended to, 106–108. 112–114.

Evidence to the effect that one special department, whether in the Foreign Office or the Board of Trade, should exclusively deal with questions of foreign trade and treaties, 108–123——Satisfactory manner in which the Board of Trade exercised extended functions with reference to the French commercial treaty, 108. 118. 133–138——The department contemplated by witness should have power of direct communication with our consuls and agents abroad, and with the commercial communities at home, 108, 109. 112–116. 231–237.

Consideration of the question whether the Foreign Office or the Board of Trade should supply the proposed department; respects in which the Foreign Office is the more fitting place for it, 109–129 —— Great willingness always evinced by the Board of Trade to discuss commercial matters with the mercantile community, 110——Necessity of a new and special department in the Board of Trade, if the Board were entrusted with matters of foreign trade and treaties, 111. 128, 129——Powerlessness at present of the Board of Trade in reference to negotiations abroad, 112.

Witness dates chiefly from 1860 the grievances complained of in delays with the Foreign Office, 117–121. 130——Explanation as to duplicate copies of the correspondence in 1860 with the Foreign Office not having been sent by the Bradford Chamber to the Board of Trade, 131, 132——Further statement as to the probability of equal concessions by Belgium to England as to France, if the Foreign Office had been more prompt in making representations on the subject, 139–144. 150 *et seq.*

Reference to a memorial from the Bradford Chamber of Commerce to the Foreign Office, in January 1859, and to the reply of Lord Malmesbury, with regard to the Belgian treaty of 1851; 145–149——Grounds for concluding that if the Foreign Office had acted with energy and promptitude Belgium would at the same time have made the same concessions to this country as to France, 159–188——Injurious effect upon the Bradford trade in the interval between the conclusion of the Franco-Belgian treaty and the Anglo-Belgian treaty, 184 186.

Further statement relative to the Zollverein treaty with France, and the sending of Mr. Ward and Mr. Mallet to Berlin on the subject, 189–199——Grounds for concluding that if Mr. Mallet had been sent earlier to Berlin the Zollverein would have granted the same concessions to England as to France, 198–203——Understanding as to the treaty being concluded conditionally between France and the Zollverein, and absolutely between France and Prussia, 204–209.

Further statement upon the question of the Italian treaty, and the circumstance of witness having been unable to obtain from the Board of Trade any information about the movements of Signor Marliani, 210–219——Grounds for concluding that the Foreign Office did not enter into any communication on the subject of the appointment of a French consul or vice-consul at Bradford, 220–228——Effect of the delay on the part of the Foreign Office in regard to the non-appointment of a consul, 229, 230.

Examination to the effect that it is for the executive to determine whether the proposed new department should be in the Foreign Office or the Board of Trade; witness declines to give any opinion upon this point, 231–237. 360–362. 392–422——Grounds for concluding that, although Lord Cowley was joint negotiator with Mr. Cobden in the matter of the French treaty, he had little or nothing to do with the tariff arrangements, which were settled by Mr. Cobden and Mr. Mallet in communication with the Board of Trade, 238–253. 288, 289. 312–317.

Understanding as to the Foreign Office being the proper department to which to apply for information upon foreign commercial questions, 254–258——Condemnation of the present relations between the Foreign Office and Board of Trade on account of the barrenness of results; witness does not know what the precise relations are, 259–269. 286, 287——Assurances given by the Foreign Office, in the time of Lord Malmesbury, to the Bradford Chamber of Commerce, previously to the reply in April 1859 to the memorial from the Chamber in the preceding January, 270–275.

Explanation that the first communication from Bradford to the Board of Trade with reference to the Belgian treaty was in July 1861; 276–280——Satisfaction felt at the time by the Bradford Chamber upon having applied to the Board of Trade and having been promised the assistance of the Board in the matter of the Belgian treaty, 281–285—— Claim of this country to favourable consideration at the hands of Belgium, 290, 291—— The complaint against the Foreign Office refers not only to the Belgian treaty, but to the Zollverein case and the Italian case, 292, 293.

Grounds for the conclusion that in the Foreign Office there is a great ignorance upon commercial questions, and that the commercial community should have a properly informed

Report, 1864—*continued.*

Ripley, Henry William. (Analysis of his Evidence)—*continued.*

formed department to go to on such matters, 294–298——With regard to there not being in the Belgian treaty of 1861 any most favoured nation clause, witness still maintains that a prompt and early action on the part of the Foreign Office, when the Franco-Belgian treaty was in contemplation, might have removed the difficulties subsequently experienced, 299–305. 318–321——Amount of injury to the Bradford trade in consequence of the Franco-Belgian treaty further adverted to, 306–311.

Probability of better results in the case of Belgium if the same course had been pursued as in the case of France, where the matter was arranged by Mr. Cobden and the Board of Trade, 321–328. 336——Expediency of our consuls abroad being thoroughly conversant with commercial matters, and of their reports to the department at home being forwarded to the chambers of commerce, 328. 344, 345——Statement as to the consular reports not being now furnished to the chambers of commerce, or put into a tangible shape for their use, 329–335. 345. 367–370.

Advantage if there were a department in England similar to that of the Ministry of Commerce in Paris, the minister not being bound to communicate through the Foreign Office, 337–342——Witness complains not of the high tariffs in foreign countries, but that men properly conversant with commercial matters are not appointed as consuls and diplomatic agents to make representations on the subject, 343–366——Any tariff alterations between foreign countries should in fact be watched closely in the interests of this country, 350, 351——Ignorance upon commercial matters of the great majority of our foreign consuls; grounds for this conclusion, 355–366.

Commercial knowledge and zeal at the Board of Trade, whilst there is a deficiency of those qualities at the Foreign Office, 360, 361——Further reference to the importance of direct communication between the proposed department and the consuls abroad, 362. 419. 421——Way in which the opposition in Belgium to the treaty with England might have been modified if, when the Franco-Belgian treaty was being negotiated, the Foreign Office were also in the field, 371–374——Expediency of English interests being properly represented to foreign governments at the time that any tariff alterations are being negotiated with other countries, instead of after treaties have been concluded, 375–388.

Improbability of the Belgian concessions to France having been prevented if England had been applying at the same time for similar concessions, 384–388——The action of the Foreign Office in the matter of the Belgian treaty was not postponed advisedly, the delay having been owing to omission or neglect, 389–391——Further examination in support of the conclusion that there should be one department solely responsible in the matter of foreign trade and commercial negotiations, and that the double action and divided responsibility under the present system should at once be abolished, 392–422.

Russell, The Right Hon. Earl, K. G. (Analysis of his Evidence.)—Has been Foreign Secretary on two occasions; was never connected with the Board of Trade, 3056–3058——Considers that disadvantage rather than advantage would result from a commercial department in the Foreign Office, whether under a Parliamentary or a permanent Under Secretary, 3059–3062——The Foreign Secretary has ample work to do without entering into the details of trade, 3060——When witness requires commercial information of any importance, he consults Mr. Milner Gibson, and has every facility of obtaining information or advice, 3063–3065——Witness does not have individual communication with the permanent officials of the Board of Trade, 3065. 3086–3088.

Probable advantage of a special officer in the Foreign Office for attending to the correspondence with the Board of Trade, and for receiving information from that department, 3066. 3073. 3085——Explanation relative to an apparent omission or delay on the part of the Foreign Office in 1862–63 with respect to the draft treaty in the case of Italy, 3067. 3099–3102——Statement showing that when Signor Marliani was in this country certain reductions in the wine and sugar duties were demanded as the condition of concessions on the part of Italy, which reductions could not be assented to, 3067–3069——Differential duties upon tobacco required by Austria in the event of concessions by that country, 3068.

Advantage if our foreign ministers could be put in possession of more complete information when negotiations are pending between foreign nations, 3070——Impression that Italy refused to entertain any negotiation with this country until the Franco-Italian treaty was concluded, 3072——Doubt as to the cause of the non-representation of the British jute interest at Turin when the negotiations with France were going on, 3072——Obstacle to the Board of Trade communicating directly with the diplomatic agents, commercial and political matters being closely intermixed on foreign countries, 3073. 3085——Doubt as to any advantage in the Board of Trade communicating upon matters of detail with the foreign agents under flying seal through the Foreign Office, 3074–3076. 3085.

Opinion that the president of the Board of Trade should be a cabinet minister, but that it is not essential the department be made a Secretaryship of State, 3077–3080——Statement of the circumstances under which the treaty of commerce with France was first brought forward, 3081——The question was considered by the Cabinet whether it

was

Report, 1864—*continued.*

Russell, The Right Hon. Earl, K. G. (Analysis of his Evidence)—*continued.*

was advisable to open negotiations with Spain and other countries before Government had committed itself to the reductions under the treaty, 3082–3084——Witness, though at present opposed to a commercial department in the Foreign Office, will carefully consider the suggestion, as well as others that have been submitted to the Committee, 3089.

Opinion that neither in the case of Belgium or Italy could better results have been produced, 3090. 3116——Necessity of all treaties of commerce being considered in the Foreign Office before they are finally settled, 3092–3095——Verbal communication of the representatives of the Board of Trade and Foreign Office with Signor Marliani; his refusal to negotiate until the French treaty was concluded, 3096–3105——Constant personal communication between M. Van de Weyer and Mr. Milner Gibson and witness when the Belgian treaty was under negotiation, 3106, 3107.

Action frequently taken by the Foreign Office by means of personal communication at times when, judging from the correspondence, there was omission or delay on their part, 3107, 3108——Several causes for which the Belgian Government refused to enter upon negotiations, 3109–3112——Absence of any better result if Mr. Mallet had been sent earlier to Prussia, 3113–3115——Repeated representations made to Portugal relative to promised reductions in their wine duties, but without effect, 3117——Expediency of its resting with the Secretary of State as to the most judicious time to open negotiations; impolicy of pressing matters unless there is fair prospect of success, 3117–3120. 3123.

With regard to an intimation by the French Government to Mr. Cobden that they would gladly admit a British representative to co-operate in their negotiations with other countries, witness does not recollect that Mr. Cobden ever transmitted this intimation to the Foreign Office, 3121, 3122——Endeavour made to obtain information from Prussia at the time of her negotiations with France, 3124, 3125——Reference to the apparent omission on the part of several consuls to make reports; doubt whether there has been any omission on their part in regard to special reports upon cotton, 3126–3130.

Russia. There is not any report from Russia by the secretary of the Embassy, *Behrens* 497, 498——Prohibitory effect of the Russian tariff upon the export of Bradford goods to Russia, *ib.* 536–538——Changes made in the Russian tariff in 1863; understanding as to the French Ambassador having been first consulted, *ib.* 539–542. 723, 724——The Russian tariff is the worst as regards this country, *ib.* 663.

Statement as to witness having communicated with both the Foreign Office and the Board of Trade respecting the admission of jute manufactures into Russia, and as to the similar effect of the replies from each department, whilst in each case the first reply was contradicted by the second, *Sturrock* 1216–1232. 1271–1287——Very satisfactory manner in which the Foreign Office carried out the representations with Russia in the matter of the jute trade, *ib.* 1241. 1271.

With regard to a statement by Mr. Forster that England was behindhand as compared with France in communicating with the Russian Government, and in obtaining reductions in the Russian tariff, witness cites a despatch from Lord Napier denying the accuracy of this statement, *Hammond* 1796, 1797.

The Board of Trade were consulted in all the stages of the Russian treaty, *Sir J. E. Tennent* 2322.

Communications from Lord Napier to Earl Russell, dated St. Petersburg, 17 and 18 April 1864, conveying information relative to the relations between the Ministry of Foreign Affairs and the Department of Commerce in the Ministry of Finance, *App.* 284.

S.

Secret Negotiations. Witness approves of secret negotiations by Government in the matter of foreign tariffs, but concludes there have been no such negotiations with any amount of success, *Behrens* 746–754. 861–863.——*See* also *Political Questions.*

Secretaries of Embassy and Legation. See *Diplomatic Service.*

Sewing Machines. Steps taken by the Foreign Office with reference to some sewing machines adverted to as illustrative of the prompt action of the department, *Hammond* 3302.

Shipping (*Differential Dues*). Different questions upon which shipowners consult the Foreign Office and the Board of Trade respectively, *Lindsay* 3244–3246——Delay through the Board of Trade having to communicate with the Foreign Office in connection with any negotiations for the removal of differential dues on shipping, through the Foreign Office not possessing knowledge in such matters, *ib.* 3247–3249——Advantage in negotiations about shipping, &c., being entirely in the hands of the Foreign Office, *ib.* 3258–3261.

Report, 1864—*continued.*

Shipping (*Differential Dues*)—continued.

Statement as to the expediency of our Ambassadors and diplomatists abroad having had a training in matters of commerce and navigation, so that they might be more competent to deal with foreign governments on such matters, *Lindsay* 3259–3264. 3267–3269. 3273. 3282–3293——Particulars relative to the unofficial negotiations of witness with France and other countries on the subject of differential dues upon shipping; he received every facility and support from the Foreign Office, *ib.* 3265, 3266. 3274–3281.

Admission by Lord Cowley and Lord Lyons that they did not understand the details of the question of dues upon shipping; disadvantage in their obtaining information second-hand from the consuls, *Lindsay* 3267–3269——Limited character of the special education desirable in diplomatic servants upon the subject of differential dues, *ib.* 3287, 3288.

Silk Trade. Limited importance of statistics of silk as compared with cotton statistics, *Ashworth* 987–1000.

Statistics relative to the silk trade since the year 1820, and the rates of duty upon raw silk and upon foreign manufactured silk, *App.* 267.

Slave Trade Department (*Foreign Office*). Extent and operation of the slave trade department; opinion that it would be better if it did not exist as a separate department in the Foreign Office, *Hammond* 1765–1767——Working of the slave trade department further adverted to in connection with the question of a commercial department, *ib.* 1842–1845——Conclusion as to there not being any advantage in the separate character of the slave trade department, *Earl of Clarendon* 2999, 3000.

Dissent from the views of Mr. Hammond on the subject of the slave trade department; its value as a means of teaching international law, *Earl of Malmesbury* 3230–3236.

Spain. Very high and vexatious character of the Spanish tariff as regards Bradford goods, *Behrens* 471–473——Frequent changes in the Spanish tariff during the last few years, *ib.* 474–476——Reference to a certain Bill brought in by the Spanish Government in January 1863, of which the Bradford Chamber were not informed by the Board of Trade until the 17th March following, *ib.* 477–483——Statement as to a Spanish decree in February 1862, which affected Bradford goods, not having been brought by Government to the notice of the Bradford Chamber; information first obtained on the subject through the "Moniteur," *ib.* 484–493.

Circumstance of there not being any report from a secretary of Legation relative to the general trade of Spain, *Behrens* 494–498——Reference to the differential duty in favour of Spanish shipping; an intention to increase this duty was not made known to the Bradford Chamber by Government, *ib.* 507–509——Further reference to the grounds of complaint relative to the proceedings of Government in regard to changes in the Spanish tariff, *ib.* 645. 688–694——Probable advantage if Government had made some better effort in the case of Spain, *ib.* 645.

Doubt as to the expediency of publishing a report as to the operation of the Spanish tariff, unless drawn up in a very careful manner; otherwise more harm than good would result, *Hammond* 1429–1436——The British Government have done their utmost to induce the Spanish Government to carry more liberal views into action, *ib.* 1437——With regard to a certain Bill and decree on the part of the Spanish Government, they were doubtless communicated by the Foreign Office to the Board of Trade, *ib.* 1695–1697——Information relative to various measures brought before the Spanish Cortes, having been communicated by the Minister at Madrid to the Foreign Office, and by the latter to the Board of Trade; absence of delay on the part of the Foreign Office, *ib.* 1744–1746.

Greater probability of a reduction of the Spanish and Portuguese tariffs if there had been earlier communication on the part of our Government, *Mallet* 2551–2554——With regard to reductions not having been obtained in the Spanish and Portuguese tariffs, witness makes no charge against the Foreign Office in the matter, *ib.* 2898–2907.

Grounds for concluding that the want of concessions on the part of Spain is in no way owing to any want of proper representations by the British Government, *Earl of Clarendon* 3037, 3038——Close connection between political and commercial matters in Spain, *Earl Russell* 3073——The question was considered by the Cabinet whether it was advisable to open negotiations with Spain and other countries before Government had committed itself to the reductions under the French Treaty, *ib.* 3082–3084——Opinion that no advantage would have resulted from earlier and more pressing representations to the Spanish Government; that is, before the conclusion of the French Treaty of Commerce, *ib.* 3082.

Communications from Sir J. Crampton to Earl Russell, dated Madrid, 17 and 21 April 1864, explanatory of the arrangements under which the commercial business of the Spanish Government is carried out, *App.* 285.

Report, 1864—*continued.*

Statistical Department. Absence of inconvenience if applications from other departments to the Statistical Department went directly, instead of through the Board of Trade, *Booth* 2004–2006——A Commercial Department in the Foreign Office would, after consulting the Statistical Department, communicate directly to the Foreign Secretary, when at present the required information from the Statistical Department is communicated to the Board of Trade, *ib.* 2016–2025——Approval of the functions of the Statistical Department being rendered quite independent, *ib.* 2080–2084——Facility of direct communication between a Commercial Department in the Foreign Office and the Statistical Department, *ib.* 2085–2089——The proposed officer at the head of a Commercial Department might communicate freely with the Statistical Department, *ib.* 2125–2127.

Means of the Foreign Office for obtaining details from the Statistical Department without direct consultation with it, *Right Hon. E. Cardwell* 3403-3405. 3423–3426——Separate character of the Statistical Department, though nominally a branch of the Board of Trade, *ib.* 3424–3426——Neccessity for keeping up the Statistical Department in connexion with the interests of trade, *Right Hon. T. M. Gibson* 3482. 3509-3514.

Staveley, Mr. Views of Mr. Stavely of the Foreign Office, in defence of the present action of the Foreign Office and Board of Trade in matters of commerce, *Hammond* 1825.

Sturrock, Robert. (Analysis of his Evidence.)—Secretary to the Dundee Chamber of Commerce, 1127, 1128——The Dundee Chamber represents the Scotch linen trade, 1129——The trade lies chiefly with America, but there is a large continental trade, 1131, 1132——During the negotiations preceding the French Commercial Treaty, witness was one of those deputed to represent the Scotch linen trade, 1133, 1134——Immense increase since 1838 in the import of Indian jute to Dundee, and in the jute manufacture, 1135–1140——Amount of the former and present duty in France upon Scotch yarns and linens, 1141——High price of jute goods in Dundee through the cotton scarcity, so that articles of French manufacture are largely imported, 1142, 1143.

Belgium is in the same position as France as regards the Scotch jute manufacture, 1144——Inability of witness to ascertain what are the precise duties upon Scotch yarns and jute goods going to Italy; reference hereon to a statement by the Board of Trade, that the duties would be the same as under the Franco-Belgian Treaty, 1145-1152——Conclusion as to the unfavourable position of the jute manufacture as compared with the linen manufacture, as regards trade with Italy, 1153–1167.

Details relative to communications between the Board of Trade and the Dundee Chamber, before and after the Franco-Italian Treaty, 1168–1191——Grounds for the conclusion that if proper representations had been made by Government relative to the revision of the Italian tariff, jute would not have been put into a worse position than linen, 1171–1211——Circumstance of witness having received no definite information about the Franco-Italian Treaty, until the treaty had been concluded, 1173–1181. 1189–1191——Representation made, without any successful result, on the conclusion of the Franco-Italian Treaty, 1182–1188. 1196–1200.

Representation made by the Dundee Chamber of Commerce to Government on the subject of the jute trade with the Zollverein; subsequent communication from the Foreign Office, 1212–1215——Statement as to witness having communicated with both the Foreign Office and the Board of Trade respecting the admission of jute manufactures into Russia, and as to the similar effect of the replies from each department, whilst in each case the first reply was contradicted by the second, 1216–1232. 1271–1287——Explanation as to witness deeming it expedient at times to communicate with both departments on the same subject, although he would much prefer having but one office to do with, 1233–1235. 1272–1293.

Duty of Chambers of Commerce to place information before Government, although in the case of Dundee and the jute trade with Italy, no result has been produced, 1236–1239——Courtesy and attention experienced at the hands of the Government officials in each department, 1240. 1248–1251——Very satisfactory manner in which the Foreign Office carried out the representations with Russia in the matter of the jute trade, 1241. 1271——Want of organisation between the two departments, 1242——Satisfactory manner in which the details of the French Commercial Treaty were carried out under the Board of Trade and Mr. Cobden, 1242–1244.

Further statement as to the French Treaty having resulted in Dundee importing jute goods from France, instead of in exporting them to France; explanation on this point, 1245–1247. 1262, 1263. 1322——Character of the French jute trade; it is not nearly so large as the Scotch trade, 1252–1254. 1305——Similar footing of French and English jute goods as regards admission into Italy, the complaint against the Italian tariff being that jute goods are charged as linen, and that no distinct and lower duty was imposed, 1255–1261. 1306–1319——Great spread of the Scotch jute manufacture further adverted to, 1264–1266. 1320, 1321.

Doubt as to the representations really made by Government on the subject of the Italian tariff and the jute trade, 1267–1270——Opinion as to the advantage that would result if the Foreign Office attended entirely to matters of foreign trade, and had an

Report, 1864—*continued.*

Sturrock, Robert. (Analysis of his Evidence)—*continued.*

efficient staff for the purpose, 1288–1298——Whether it be the Foreign Office or the Board of Trade, there should be but one department for the commercial community to deal with, and for the carrying out of negotiations, 1299–1304.

Sugar Duties. Information relative to the international conference at Paris in 1863, with reference to the sugar duties, and the attendance of witness and Mr. Ogilvie of the Customs, whilst the Foreign Office was not represented; disadvantage of this omission, *Mallet* 2569–2574——Statement as to the Board of Trade not having been officially consulted this year on the subject of the sugar duties, *ib.* 2575, 2576.

Particulars in connection with the consultation of witness, when at the Board of Trade, by the Colonial Office, with reference to the sugar duties, *Right Hon. E. Cardwell* 3420–3422.

Sweden. Statement as to the Bradford Chamber having memorialised the Foreign Office in November 1863 with reference to negotiations between France and Sweden; apprehension that no steps will be taken by Government until it is too late, *Behrens* 562–566——The tariff of Sweden, as regards this country, is one of the worst, *ib.* 663.

Any memorial from the Bradford Chamber of Commerce to the Foreign Office relative to the Swedish tariff was duly forwarded to the Board of Trade, *Hammond* 1698, 1699——Date at which the Bradford memorial relative to the Swedish treaty was received at the Foreign Office, and was forwarded to the Board of Trade, *ib.* 1743.

Communication from Count Manderström, containing particulars of the system in Sweden of dealing with commercial questions, and the arrangements in regard to the consular service, *App.* 291–294.

Switzerland. Letter from Admiral Harris to Earl Russell, dated Berne, 30th April 1864, together with a memorandum supplied by the President of the Swiss Confederation, explanatory of the relations and action between the departments of politics and commerce in Switzerland, *App.* 287, 288.

T.

Tariff Revisions (Foreign Countries). Any tariff alterations between foreign countries should be watched closely in the interests of this country, *Ripley* 350, 351——Expediency of English interests being properly represented to foreign Governments at the time that any tariff alterations are being negotiated with other countries, instead of after treaties have been concluded, *ib.* 375–388——Advantage in English manufacturers being placed in contact with the Government of any country when revising its tariff with another nation, *Behrens* 526–529.

Doubt as to foreign countries, when negotiating between themselves alterations of their tariffs, being always willing to acquaint us with their proceedings, *Mallet* 2851–2857.

Tennent, Sir James Emerson. (Analysis of his Evidence.)—Has been in the Board of Trade since 1852; is joint secretary in charge of the Commercial Department, 2241–2243——All consultative communications from the Foreign Office come under witness's branch, 2244——Consultation of witness's department not only by the Foreign Office but the Colonial Office, 2244——The Foreign Office not only consult upon all questions connected with foreign treaties and tariffs, but communicate to the Board of Trade consular reports and other information connected with trade, 2244–2249.

Origination in the Foreign Office of the communications between the two departments, 2250–2252——The communications come in the name of the Secretary of State, and are addressed to the Secretary of the Board of Trade, 2253–2255——With some few exceptions, the communications take place in writing, 2256–2260——Varying practice in regard to communications from commercial bodies coming to the Board of Trade or to the Foreign Office, 2261——Consultation generally with the Board of Trade before the Foreign Office gives replies to commercial deputations; exceptions to this rule, 2262. 2264–2271——Presence of witness, or his colleague, at the reception of deputations by the President of the Board, 2263.

Practice of the Board in communicating with the Foreign Office upon receiving individual complaints of grievances, 2272–2275——Discretion exercised by the Foreign Office in regard to consulting the Board of Trade when individuals complain first to the former department, 2276–2278——Frequent communication between the Board and the Chambers of Commerce and individual merchants, 2279, 2280.

With regard to the frequent complaint by the commercial classes as to the disadvantages and delay in having to deal with two offices, witness questions whether there is real ground for the complaint, 2282, 2283——Necessity, in many cases, of application being made to both departments, notwithstanding any arrangements that might be made at

Report, 1864—*continued.*

Tennent, Sir James Emerson. (Analysis of his Evidence)—*continued.*

at the Foreign Office. 2283——Suggestion that the deputations should go direct to the Foreign Office, in applications of the ordinary kind, *ib.*

Practice of the Foreign Office to send to the Board of Trade all the information which they consider concerns the department, 2284. 2293-2310——Earlier information obtained by merchants upon matters of trade and changes of tariffs in foreign countries than is obtained by the Board of Trade through the reports forwarded from the Foreign Office, 2284-2292——Occasional difficulty through the Foreign Office omitting to supply information which is afterwards required; this is always remedied on application by the Board, 2293-2299——Opinion as to complete information, for the purposes of the Board, being generally supplied by the Foreign Office, 2300-2310——Probability of more early and complete information in the possession of the Board of Trade if it were in direct communication with the officers abroad, 2301, 2302.

Statement as to political considerations not being always communicated to the Board; doubt as to any disadvantage on this score, 2304-2310. 2323——Practice of the Foreign Office not always to consult the Board of Trade before treaties affecting commerce are concluded with foreign nations, 2311-2329——Circumstance of the Board of Trade not having been consulted with reference to the Canadian Treaty of 1854; 2312-2319——Nor were they consulted about the first treaty with Japan, 2320——Nor before the conclusion of the French Treaty, 2321. 2351——The Board were consulted in all the stages of the Russian Treaty, 2322.

Concurrence of the Foreign Office in all substantive recommendations by the Board of Trade relative to foreign tariffs; any delay has been from political considerations, 2323——Impression as to there having been no communication with the Board on the subject of the treaty projected with Italy in 1862; 2324-2329.

With regard to the formation of a commercial department in the Foreign Office, witness is satisfied it would never work well, 2330-2332——Belief that if the proposed department were established, the present establishment of the Board of Trade would be equally required, and two offices instead of one must be consulted, 2332-2334——Objection on account of the additional labour to be imposed upon the Secretary of State, 2334-2337. 2379-2391——Disapproval of the proposed department being under a Parliamentary Under Secretary, 2335.

Expediency of commercial representations being still made to the Foreign Office, and of that department resorting to the Board of Trade for information, the responsibility of action resting with the Foreign Secretary, 2338-2340. 2379-2391——Much more complete and valuable character of the information obtained by the Board of Trade in its collective capacity than of information obtained by sectional departments acting separately, 2340——Apprehended antagonism between the departments if each acted upon the advice of a commercial branch of its own, *ib.*

Explanation as to the Board of Trade not being consulted by the India Office, 2341, 2342——Constant complaint made against the tariffs of India, 2343——Useful consultation of the Board of Trade with reference to Colonial duties, 2344-2346——Doubt as to the Board having ever been consulted by the Treasury, that is, within witness's experience, 2347-2350——Probability of advantageous representations on the part of the Board if it had been referred to at an earlier stage of the French Treaty, 2351-2353.

Advantage if the Board of Trade were placed on an equality with the Foreign Office, &c., so that it should be able to give greater force to its recommendations, 2354-2356. 2366. 2376-2378——Objection to the Vice President of the Board of Trade being an Under Secretary in the Foreign Office for commercial purposes; this arrangement would, however, have some advantages, 2357, 2358——Improvement if there were a special clerk in the Foreign Office in charge of the communications with the Board of Trade, 2359-2364. 2366. 2373. 2392-2401.

Great increase in trade adverted to with reference to the question of amending the relations between the Board of Trade and the Foreign Office, 2365, 2366——Considerable advantage anticipated if the Board of Trade were placed in communication with the consuls under flying seal through the Foreign Office, 2366-2378. 2399——Inexpediency of the commercial community being debarred from complaining to a department like the Board of Trade, 2369——Advantage of the power of the former Board of Control for India of enforcing its policy upon the Court of Directors, it having been the practice of the former body to consult the Board of Trade, 2402-2404.

Perfectly harmonious action between the Foreign Office and Board of Trade, 2405, 2406——Understanding as to there having been frequent personal interviews between Mr. Milner Gibson, Earl Russell, and Signor Marliani, with reference to the Italian Treaty, 2407. 2410——Personal communication also between the heads of the two departments and M. Van de Weyer, in negotiating the Belgian Treaty, 2408, 2409.

[Second Examination.]—Better understanding of late on the part of the commercial community as to the distinction between the functions of the Board of Trade and of the Foreign Office, 2411-2413——With regard to its being felt as a grievance that the com-

Report, 1864—*continued.*

Tennent, Sir James Emerson. (Analysis of his Evidence)—*continued.*

mercial community are referred from one office to another, the necessity of application to both departments would still exist if there were a commercial branch in the Foreign Office, 2414–2427——Further statement as to the advantage of a special clerk, or a registrar, in the Foreign Office, in order to see that communication with the Board of Trade is promptly and efficiently carried out, 2428–2435.

Tennent, Sir J. Emerson. Very good and able character of the evidence generally of Sir Emerson Tennent, *Earl Russell* 3081.

Trade. Great increase in trade adverted to with reference to the question of amending the relations between the Board of Trade and Foreign Office, *Sir J. E. Tennent* 2365, 2366 ——Immense development of the foreign trade of this country; the larger the trade the more likely is it that Government intervention will be required with reference to any obstructions by foreign nations, *Mallet* 2970–2972.

Treasury. Reference to the Treasury as finding it necessary at times to communicate with and consult the Board of Trade, *Hammond,* 1497–1500——Explanation as to the Foreign Office having consulted the Board of Trade rather than the Treasury upon a proposition for the reduction of certain duties upon Italian produce; doubt whether the required information would have been more quickly received directly from the Treasury, *ib.* 1633–1643.

Doubt as to the Board of Trade ever having been consulted by the Treasury, that is, within witness's experience, *Sir J. E. Tennent* 2347–2350——Statement explanatory of the very limited communication which now takes place between the Treasury and Board of Trade, *Mallet* 2562–2566. 2575–2577——Advantage in commercial complaints as to the operation of any duty or tax being laid directly before the Treasury rather than the Board of Trade, *ib.* 2636, 2637.

Considerable extent to which the Board of Trade is now made use of by the Treasury in matters relating to the revenue, *Right Hon. T. M. Gibson* 3459.

Treaties of Commerce. Practice of the Foreign Office not always to consult the Board of Trade before treaties affecting commerce are concluded with foreign nations, *Sir J. E. Tennent* 2311–2329——Necessity, in any case, of treaties of commerce being fully examined by the Foreign Office, *Mallet* 2787——Inaccuracy of a statement by Mr. Ridley as to the operations of the Foreign Office and Board of Trade, under the present system, being attended with a barrenness of results; conclusion of several treaties adverted to hereon, *ib.* 2858–2864.

Advantage in the Foreign Office applying to the Board for the aid of an efficient officer in conducting such treaties as the French Commercial Treaty, *Earl of Clarendon* 3032, 3032*——Expediency, in all cases, of the Foreign Office superintending the wording and the final settlement of treaties, *Earl of Clarendon,* 3033–3035; *Earl Russell* 3092–3095.

See also *Austria. Belgium. Board of Trade. Foreign Office. France. Italy. Political Questions. Prussia. Reciprocity Treaty* (*Canada and United States*). *Russia.*

Treaty Department (*Foreign Office*). Reference to the Treaty Department as not being of an entirely distinct character, the business being connected with that of the office generally, *Hammond* 1767, 1768.

Turkey. Course adopted by the Foreign Office for discussing and settling the tariff in connection with the treaty with Turkey, *Hammond* 1790, 1791.

U.

United States. In the United States, the Secretary of the Treasury transacts such consultative business as devolves upon the Board of Trade in this country, *Mallet* 2598.

See also *Reciprocity Treaty.*

V.

Van de Weyer, M. See *Belgium.*

Vice President of Board of Trade. See *Board of Trade,* 4.

W.

Ward, Mr. Very excellent reports by Mr. Ward, Consul at Hamburgh, *Behrens* 572.

West, Mr. Very able character of Mr. West's reports to the Foreign Office, *Mallet* 2818.

Wickham, Henry Wickham (*Member of the House*). (Analysis of his Evidence.)—Was Member for Bradford in 1856, and saw Mr. Hammond at the Foreign Office, in September of that year, on the subject of a memorial previously submitted by the Bradford

Report, 1864—*continued.*

Wickham, Henry Wickham. (Analysis of his Evidence)—*continued.*

Bradford Chamber, on the subject of the Belgian Treaty, 1735, 1736——It was stated by Mr. Hammond that he could find no fault with the arguments used by the Bradford Chamber, 1737——When at Brussels witness had interviews with Lord Howard de Walden and the Secretary of Legation, who showed every willingness to go into the question; he did not hear from them that there was any difference of opinion between the Foreign Office and the Board of Trade, 1738–1742.

Written Communications (*Foreign Office and Board of Trade*). Importance of communications between the two departments being in writing, as a means of record, *Earl of Clarendon* 2984.

Wurtemberg. Communication from Mr. Gordon to Earl Russell, dated Stuttgardt, 2d May 1864, relative to the system of managing commercial affairs and negotiations in Wurtemberg, *App.* 288, 289.

Z.

Zanzibar (*Consul's Reports*). Great omission and delay in regard to the publication of a valuable report made by the Consul at Zanzibar, *Mallet* 2722–2731. 2947.

Explanation of the delay imputed to the Foreign Office in regard to the publication of a report from Zanzibar, *Hammond* 3329–3333.

Zollverein. Statement as to its having been suggested, in July 1861, that Mr. Cobden and Mr. Mallet should be sent to Berlin, on the subject of the treaty then contemplated between France and the Zollverein; circumstance of Mr. Ward having been sent instead, *Ripley*, 63-68. 75-81——Meeting of the Associated Chambers of Commerce in February 1862, when it was urged upon Lord John Russell, at the Foreign Office, to send to Brussels and Berlin some one really conversant with commercial details; Mr. Mallet of the Board of Trade was shortly afterwards sent to Berlin, *ib.* 67–69. 87, 88.

Request made by witness, in letter to Lord John Russell on 10th August 1861, that Mr. Ward should be put in communication with the Chambers of Commerce with reference to the tariff with the Zollverein; subsequent memorial on the subject on the 7th September, the previous letter not having been replied to, *Ripley* 82–84——Letter from the Foreign Office, dated 20th September 1861, stating that Mr. Ward had been directed to communicate with the Chambers of Commerce; he did not, however, make any communications to the Bradford Chamber, *ib.* 85, 86——Belief that if Mr. Mallet had been sent to Berlin in July 1862, the Zollverein tariff would have placed England upon the same footing as France, *ib.* 89-91.

Further statement relative to the Zollverein Treaty with France, and the sending of Mr. Ward and Mr. Mallet to Berlin on the subject, *Ripley* 189–199——Grounds for concluding, that if Mr. Mallet had been sent earlier to Berlin, the Zollverein would have granted the same concessions to England as to France, *ib.* 198–203——Understanding as to the treaty being concluded conditionally between France and the Zollverein, and absolutely between France and Prussia, *ib.* 204-209.

Reference to and comment upon certain communications from the Foreign Office and the Board of Trade to the Bradford Chamber of Commerce, in September and December 1861, on the subject of the Zollverein Treaty, *Behrens* 543–548——Conclusion that Mr. Mallet was sent at too late a period to Berlin with respect to the Zollverein Treaty with France, *ib.* 549–552——Virtual ratification of the Zollverein Treaty, as between France and Prussia, *ib.* 553-556——Expediency of a clear understanding that England is to be placed by Prussia under the most favoured nation clause, *ib.* 557-560.

Question at present between Austria and the Zollverein adverted to with reference to the present very high tariff of Austria, *Behrens* 662-667——Advantage if Mr. Mallet instead of Mr. Ward, or in addition to him, had been sent to Prussia in the first instance, *ib.* 725-733——Binding character of the treaty between France and Prussia, though not ratified, *ib.* 734-737.

Statement as to witness having been sent by the Foreign Office to Vienna and Munich in December 1862, and as to his having reported fully upon the negotiations between France and the Zollverein, and between Austria and Prussia, *Morier* 3140-3143——Mission of Mr. Ward to Berlin in the summer of 1861, whilst the negotiations were pending between Prussia, on the part of the Zollverein, and France, *ib.* 3144, 3145——Distinct refusal by Austria, as well as by Prussia, to enter into negotiation with this country, until relations with the Zollverein were settled, *ib.* 3150, 3151——Promise by Prussia to give Great Britain the same advantages as France, as soon as certain German States had signed the Zollverein Treaty with France, *ib.* 3152, 3153.

See also *Austria.* *Prussia.*

INDEX

TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

TRADE WITH FOREIGN NATIONS

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1864.

[*Price* 8 *d.*]

493—I.

Under 8 *oz.*